

120031

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

In the Matter of: *
*
PUBLIC MEETING: *
SERVICE DIFFICULTY *
REPORTS ON FINAL RULES *

01 JAN -5 AM 11:35

FAA-00-7952-50

Monday,
December 11, 2000

Federal Aviation Administration
800 Independence Avenue, S.W.
8th Floor, Conference Room
Washington, DC

BEFORE: ROGER PHANEUF,
Facilitator

ANGELA ELGEE, Federal Aviation
Administration (FAA)

ALSO PRESENT:

RICK ANDERSON, Air Transport Association
of America
JEFFREY BECKER, Airborne Express
MICHAEL J. BIANCHI, American Eagle Airlines
LON BRITTON, Continental Airlines, Inc.
BENJAMIN BURTON, FAA

original

DAVID S. BURTON, Atlantic Coast
Jet
GREG CARROLL, Delta Air Lines, Inc.
DON COLLIER, Air Transport Association
of America
ELIAS COTTI, National Business Aviation
Association
BILL DOWNS, GE Engine Services, Inc.
THOMAS EDWARDS, United Airlines, Inc.
JOSE E. FIGUEROA, FAA, AFS-330
CAROLINA FORRESTER, FAA
DOUG HILL, Northwest Airlines, Inc.
ARNOLD HOLSCHER, FAA
RICH JARVIS, Piedmont Airlines, Inc.
FRANK L. JENSEN, JR., Helicopter Association
International

APPEARANCES CONTINUED:

PAUL JONES, Transport Canada

EXECUTIVE COURT REPORTERS, INC.
(301) 565-0064

AKBAR S. KHAN, Atlantic Coast Airlines
JOHN J. KING, FAA, AGC-210
DAVID KLINE, American Trans Air, Inc.
JERRY KOHLBRECHER, Trans World Airlines, Inc.
DAVID LOTTERER, Regional Airline Association
MICHAEL LYONS, Air Wisconsin Airlines Corp.
RICHARD MCCURDY, FAA, AGC-210
RICHARD MILLS, National Air Carrier
Association
CHRIS OOT, American Eagle
JIM PHOENIX, Atlas Air, Inc.
BOB ROBESON, Aerospace Industries Association
MATS SABEL, Southwest Airlines Co.
MICHAEL SHARBAUGH, Airborne Express
JOSEPH SIRICO, Pratt & Whitney
BOB SWAIN, National Transportation
Safety Board
GREGORY SWIFT, US Airways Express
DAVID TEITELBAUM, FAA
CHRISTIAN M. TORO, United Parcel Service
SCOTT TURCO, Delta Air Lines, Inc.
SUSAN WALSH, Pratt & Whitney
PETER WHITE, Federal Express Corp.
MARK WHITTIER, Midwest Express Airlines, Inc.
RICK YORMAN, American Airlines, Inc.

A G E N D A

PRESENTATION:	PAGE:
Angela Elgee	8
Richard Mills, Richard Anderson, and David Lotterer	13

P R O C E E D I N G S

(9:00 A.M.)

MR. PHANEUF: Gentlemen and ladies. Sorry, we are a few minutes late, but as you know we are here based on the announcement in the Federal Register, to have an opportunity to discuss the final rule and what the implications might be.

My name is Roger Phaneuf, and I am here hopefully to just kind of keep things going for you. And I promise I won't make any technical comments. But hopefully we can stay on track and make this a true discussion. Remember there is a lot of you that disagree with one another, so this is not just industry versus FAA. It is a chance for everybody to get their views out and try to understand the other point of view.

So, why don't we get started. A couple of things I would like to do is have people, although it is a fairly large group, I think we can do it quickly, have you introduce yourself and who you are with, and then we will have a better idea of the kind of people who are giving the comments.

Could we start up in that corner?

Before you do that, let me also mention that we want to get everybody's name down, and so we are

going to circulate a signup sheet. But if you have a business card and you just want to leave that in lieu of signing up, that is even better, because then we ***t have to try to read your handwriting. But also it will be quicker. So, as we pass that around, either sign up or bring a card up here or give a card to Jose.

Okay. Can you please go around and tell us who you are?

MR. LOTTERER: Dave Lotterer with the Regional Airline Association.

MR. ROBESON: Bob Robeson, Aerospace Industries Association.

MR. JENSEN: Frank Jensen, Helicopter Association International.

MR. KOHLBRECHER: Jerry Kohlbrecher, TWA.

MR. KHAN: Akbar Khan, Atlantic Coast Airlines.

MR. BURTON: David Burton, Atlantic Coast Jet.

MR. JONES: Paul Jones, Transport Canada.

MR. DOWNS: Bill Downs, GE Engine Services.

MR. HILL: Doug Hill, Northwest Airlines.

MR. LYONS: Michael Lyons, Air Wisconsin.

MR. WHITTIER: Mark Whittier, Midwest Express.

MR. PHOENIX: Jim Phoenix, Atlas Air.

MS. ELGEE: Angela Elgee, FAA.

MR. SIRICO: Joe Sirico, Pratt & Whitney, UTC.

MR. YORMAN: Rick Yorman, American Airlines.

MR. KLINE: David Kline, American Trans Air.

MR. BIANCHI: Mike Bianchi, American Eagle.

MR. OOT: Chris Oot, American Eagle.

MR. TORO: Chris Toro, United Parcel Service.

MR. WHITE: Peter White, Federal Express.

MR. TURCO: Scott Turco with Delta.

MR. ANDERSON: Rick Anderson, Air Transport
Association.

MR. MILLS: Richard Mills, NACA.

MR. CARROLL: Greg Carroll, Delta.

MR. EDWARDS: Tom Edwards, United Airlines.

MR. BRITTON: Lon Britton, Continental
Airlines.

MR. SABEL: Mats Sabel, Southwest Airlines.

MR. KING: John King, FAA.

MR. COTTI: Elias Cotti, National Business
Aviation Association.

MR. HOLSCHER: Arnold Holscher, FAA.

MR. SWIFT: Greg Swift.

MR. JARVIS: Rich Jarvis, Piedmont Airlines.

MR. FIGUEROA: Jose Figueroa.

MS. FORRESTER: Carolina Forrester, FAA.

MR. TEITELBAUM: David Teitelbaum, FAA.

MR. PHANEUF: Very good. Thank you.

Just some of the ground rules. You see some

microphones here. Those are for the purpose of recording the conversation. There is no amplification system, so I ask that you speak up and when you make a comment or have a question, please also just repeat your name so that the reporter can keep track of this.

There will be a transcript of the meeting that will be available to you. The way to get a copy if you want to is through, directly through, the company, the court reporter's company that is here. And we will give you that information in a little bit.

Okay. We are going to have a brief introduction by Angela, you all know Angela, I am sure. She is the manager of AFS-300 here in Washington. And then there are two people who would like to give a brief presentation. After that it will be kind of a general discussion period. So, the only thing I will try to do is keep things reasonably on course, if I can. I don't plan to interfere with what you want to say. But I would ask you, if you would, to make your comments fairly brief, and whenever possible to enhance what you submitted in writing, rather than just repeat the same information -- since it is a public docket, it is available for everybody to look at. It will be helpful if you were able to clarify or add information to that, what is already available.

Okay. Any questions. We will take a break at about 10 or 10:15 for a few minutes. And I think all of you are familiar with this building. There are restrooms at either end of the corridor. They are very convenient to use. Any questions?

Why don't I just introduce Angela and have her give you some background and particularly what she hopes we can learn from this meeting.

PRESENTATION BY ANGELA ELGEE:

MS. ELGEE: Thank you all for coming. I am a little bit surprised at the numbers. I was probably expecting no more than 20, and to have something over 30 or 40. Okay.

And I do want to thank you for coming. I made the decision to have this meeting because I was getting a lot of feedback in regard to the rule. There seemed to be a wide variety of what people thought that the rule said in particular places. And so, while we were working on advisory materials and on our inspector guidance, we wanted to make sure that everybody was understanding the same thing. And so I wanted to make sure, in a public forum like this, that we can have an adequate explanation of what data the FAA wants to collect.

I think the underlying thing here is that the FAA wants to collect data that is significant or

unusual. The kind of data that would help us do trend analysis for safety purposes. So, I think that is the underlying theme. And sometimes we can run away in all kinds of different directions, thinking what words mean. Attorneys are going to keep me straight. I am not talking about not thorough interpretations, but that we just want to make sure that everybody is reading everything the same way, so that everybody is treated equally. I know that industry has often told me that what they really are concerned about or worried about is that their principals will treat them differently, or they will be asked to do different things. And so I know that there is probably an industry concern that some operators would be, would be required to collect more information than other operators, and that would get the press and then that looks like one operator is having more safety problems than another. And so I just want to make sure that all of our guidance and our advisory material goes along with this rule, treats everybody the same, and that our inspectors are reading it all the same and that the operators are reading all the same. So, that is my primary purpose, is to hear feedback from what you think that the rule says, and what kind of data that you think we are asking you to collect.

Some of the things that we are not going to

discuss is the merits of the rules, whether we should have the rule or not. I mean, the rulemaking is over. It has already gone through two comment periods, and then it had another comment period, published with the final rule. So, the rule is the rule. I mean, this is not a meeting to discuss whether we should have the rule or not. Or whether we should reword the rule or not. What we are working on today is primarily the stuff that is going to go into the advisory circular and our inspector handbook guidance.

And I want to also commit to you that any drafts of the AC, and any drafts of the inspector guidance, will be published for public comment. The AC will most likely go into the Federal Register, at the very least, the Web. And all of our inspector handbook guidance gets published, the draft handbook guidance gets published on the Web now, on the opspeccs.com website. So we will make absolutely sure that, even after this meeting, you will get the comment again on our advisory material before we publish it.

So, as I said, I would like to stay focused on specifics as well, that need to be addressed in the AC. And I would just say that I have gone through all the comments this last weekend and some of them were very good. Delta and Pratt & Whitney had very good remarks because they, you know, they said specifically,

this is the kind of data that we think you are going to ask us to collect and, you know, this is what we think about it. So, if we could kind of stay focused on point as to the specific issues and data that we are trying to collect. So, we could save a lot of time if we don't get the war stories and global, "The FAA is all screwed up," you know, comments. If we could stay away from those things, and just stay on point of the AC, I think it would be most useful for us in developing our advisory material.

And kind of some of the ground rules, and I think Roger will probably talk about some more ground rules later, is that I want you all to assume that we are all reasonable people and that we all want the best thing for aviation safety. And not to personal attacks back and forth about, you know, what we all think would be the hidden agendas or whatever. If we could all assume that we all are trying to do the best job possible, I think that would make the meeting go better as well.

So, I did have a facilitator because I do want somebody who is impartial to the process to kind of keep us back on point. So, if someone is going too long in war story or whatever, you know, I have asked Roger to come, you know, get us back to the issue, so

we can have an efficient meeting and fulfill the purpose.

Okay. Like I said, I don't want to focus on, I mean, there are some concerns that I noticed in the remarks that aren't really within the scope of this and that would be future rulemaking or the economic impact. I mean, the purpose is really what, to figure out what data it is that we need to collect.

Okay. I think that is about it. I think that we can go ahead and get started on the presentations. Or no, I want to turn it back over to Roger, first. Okay. Thanks.

MR. PHANEUF: Yeah, I think it would be best to go ahead. Who was it that wants to make a presentation? You do. Okay. Very good.

Just to emphasize one thing that Angela mentioned and that is if you have questions that are basically an interpretation of the rule, I think it is okay to ask them, I think the FAA attorneys will back me on this, that you can't expect an interpretation at this meeting, but if there is concern in that regard, then raise it.

Okay. Who would like to go first? Go ahead, please.

MR. FIGUEROA: I am going pass around, we made

a few copies for those that don't have the rule at hand. So, if you want a copy, there are copies here.

MR. MILLS: Mr. Reporter, are you going to be able to hear me?

MR. PHANEUF: Would you speak up a little bit, please?

MR. MILLS: Quietness has never been one of my problems.

MR. PHANEUF: Would you like to present uninterrupted or do you want to entertain questions as you go?

MR. MILLS: I think we would prefer to run it as an uninterrupted presentation. Certainly, what we are going to present is going to come up later anyhow. So, I don't think anybody will miss an opportunity to respond to it.

PRESENTATION BY RICHARD MILLS, RICHARD ANDERSON
AND DAVID LOTTERER:

MR. MILLS: Good morning, ladies and gentlemen. My name is Richard Mills and I represent the National Air Carrier Association. I am accompanied this morning by Mr. Rick Anderson from the Air Transport Association, and Mr. Dave Lotterer from the Regional Airline Association.

Before I start to tell you exactly what we do, I would like to thank Angela and Jose for making

the audiovisual equipment available for us. We thought perhaps this would have a little more impact and perhaps it would allow you an opportunity to see what our constituents consider to be their biggest concerns.

What we have done is that Mr. Anderson and Mr. Lotterer and myself have taken the time over the past week to collect the concerns of our constituents and to try to make them as simple and straightforward as possible on a PowerPoint presentation. I have learned more about PowerPoint than I ever cared to, and this may be the last.

But, having said that, we also prepared, we printed copies of the presentation for your edification so that you could take notes throughout the presentation. And what I would like to do at this point is start these around. Now attached to the presentation is a copy of a document that we transmitted to Angela earlier, regarding more detailed concerns, and those are also for your benefit. You may want to read through them, you may not.

Having said that, what I would like to do is while these continue to pass around, I would like to introduce you to Mr. Rick Anderson, and I am going to slip this into the, in the A drive and hopefully it will work and I will be doing the button pushing.

MR. ANDERSON: As Richard said, my name is

Rick Anderson, I am with the Transport Association.

And I, too, want to thank Angela and Jose for, not just for having the equipment available, but actually having the public meeting giving us this opportunity to talk about this particular final rule.

(Pause.)

MR. PHANEUF: Let me just mention that it is the FAA intent to put all this material in the public docket. So, if others want to access it, for whatever reason, it is going to be there.

MR. ANDERSON: While he is bringing this up, you know, we fully understand, we have already had several comment periods on this final rule and you had comments on the information clutch requirements that came out with the final rule, and a number of comments have been filed along those lines. I am a little bit concerned in that, in some of the stuff that Angela said here in the beginning, that we are not going to talk about, are some of the things that I think we really do need to talk about. We are not asking that the final rule be withdrawn and thrown in the trash can, never to raise again, but we are very concerned with the wording of the final rule. So, I am not sure what your advisory circular is going to say, but I am not 100 percent sure that the advisory circular is going to be much good to us even with a handbook, if

the final rule words stay the way they are. They are very plain, very straightforward. They have very few adjectives supplied to them to help narrow this down and what was said in the preambles back in '95 and the supplement of April of '99 was one thing. The way the final rule came out, is different. And that is part of our concern.

Now, this is pulled together, as Richard said, primarily with Dave Lotterer from the Regional Airline Association, Richard and myself, Sarah MacLeod, you might notice, if she was here, you would know she was here. She had her two cents in on this, too. And we toned a lot of that down to make things a little bit better and a little less confrontational, because our intent is not to confront, just like you said, we have got to work with you and get this thing in a way that we can all use this.

We narrowed things down to basically three areas of concern. There still remains an awful lot of confusion about what needs to be reported. There is a lot of confusion about the use of the JASC Code, because it says one thing in the Rule, but other things have been said in public forums about whether or not the JASC Code is going to be required. And the third is the lack of guidance materials which we have been

promised and I understand there is something that is going to be available either today or very soon, along those lines. But, we are going to touch on some of this stuff.

The language of the rule is very vague. It basically says and what I have quoted there, you know, you shall report each failure, malfunction or defect. And then it gives you the list, whether you are in the operational side or the structural side. That is everything. That is everything. Including stuff that is generated by our routine scheduled maintenance program. Look at the operational side, you have eliminated in flight. We now have everything that occurs in those 13 or so, 12 or 13 different areas. Do you really want all of the discrepancies that are generated during a routine scheduled maintenance program in that? I don't believe that is going to help you. If you don't know the task, the interval tasks the carrier was using when it generated the nonroutine, the nonroutine is going to be more -- it is going to be garbage in your system because you are going to compare to stuff found in the operational world, outside the routine scheduled maintenance program.

You talk about autothrottle, autoflight and in-flight, and flight control systems. This used to

talk about (in the preamble) uncommanded movement in those systems. Well, those adjectives disappeared from the final rule. If you are only talking about uncommanded movement, that is one thing. If you are talking about everything in ATA 22, 23, 27, you have got an awful lot of data coming in. And I am not so sure that is really what you are looking for, but that is what the rule says. We have got to look at what the plain language of the rule says.

Under the structural side, same sort of thing. You want everything from our routine scheduled maintenance program, without understanding the program, is garbage. Don't know why they found it, when they found it, how frequently they are looking, you are just going to find out that they found this. It is not going to help you. All cracks, corrosion and desponding and noncomposites. You used to talk about principal structure, primary structural elements. Those adjectives are only applied to the composites now. Now you are talking about every cracked bracket, you know, every nut plate. I realize this seems anal but this is what the words say for all defects, malfunctions, and failures, cracks, corrosion, desponding, everything without adjectives.

Now, you don't need to be a math wizard to

figure some of this stuff out, but if a typical "C" check generates volumes of nonroutine items, and just the ATA 27 member carriers do about 4500 "C" checks a year, you are talking about tenfold, an awful lot of nonroutines that would need to be reported, about four and a half million could be. Now, we realize you have narrowed it down to about 12 or 13 different areas of operationally and a few areas of structure. But, this isn't including the lower-level checks, the higher-level checks or all the stuff that happens in service.

Now, I am not going to repeat a lot of the comments that we made. Under the format that we were requested to comment on during the final rule, we were only asked to comment on the information collection requirements. And there were four aspects of that. And we have made our comments. But I was also a little bit horrified as I started reading the comments that came in to me, and said, what happened. I went back to '95 and I went back to '99, I didn't see comments from any of our members that talk about a 30- to 50-fold increase in the number of SDRs to be reported. Nobody was talking of that sort of magnitude. And that is not a percent increase. That is a 30- to 50-fold increase in the number of SDRs. And we have got data to back

this up.

I can only guess the preambles that were published in the Federal Register back in '95, the preamble in '99 when the supplemental MTRM toned down the safety aspects of what you were looking for and made it more specific. We are talking about uncommanded -- we are talking about principal structures, primary structural elements. And people said, okay, I can understand that and maybe we are seeing a 40 or 50 percent increase to do that. But those words didn't end up in the final rule. The final rule also has a, it is a tremendous amount of additional information that needs to be identified when you find a specific root cause components that caused the incident, which you are reporting. We think there is going to be a similar increase 30- to 40-fold in the number of open SDRs that are filed, because our repair station may find something the air carrier subsequently is going to have to wait on the shop reports. He may have reported a generator failure, and that is what is on the open item, but he subsequently finds out it was a bearing failed inside the generator. The way the rule is written, they need the manufacturer's name, part number, serial number, all this other stuff, which you want on the specific bearing, not the generator,

but the bearing inside the generator. Some people have access to that, most air carriers don't have ready access to that information, particularly the people who are actually submitted the SDRs. It is going to have to be a process put into place to get into the shop records, to find this, or to get off to your repair station and get this back or heaven forbid you have got a power by the hour type program, that goes on not just with power plants but with components more and more now, where your part is just pulled off because it failed and a new part put on, and you don't care what happened internal to that. The manufacturers are the ones that has got the problem with that. He is just supplying you with parts. Well, how are we going to link a subsequent teardown of that part back to the air carrier SDR? We don't know. And is the FAA staff really prepared to handle this sort of an increase? I mean, that is not meant as a blow, but even the people who are using the new Internet reporting capabilities of SDRs have found that as you submit an SDR, it may take 3 to 6 weeks before that SDR becomes available back out of the system. The 30- to 50-fold increase in the number of these things come in, how many weeks is it going to take for that to get into the system? Even submitting the stuff through the Internet system, if

you ask to do a search on the data, you are limited right now to about 500 items. If you want to search more than 500 items, and most of us at a major air carrier will search 500 just within our own air carrier. If you want to search more than 500 in the SDR data base, you have got to submit a written request to Oklahoma City. I mean, I am not so sure that, you know, all this new data coming in is really going to add utility to the system.

The language has got to be more specific. I have touched on a number of these things. If it is the uncommanded actuation of flight controls, autothrottle, autoflight, then say that. Just don't require all defects, malfunctions and failures in the flight control, autothrottle and whatever, autoflight system. If you are only interested in cracks, corrosion, desponding and primary structural or principal structural elements, then say that. Those words, those adjectives are only in composite side and so forth, not on the noncomposite side. And I honestly don't see where reporting everything that our routine schedule maintenance program finds in an emergency evacuation problems or flight control problems or structural problems, is going to help, or help the FAA to look for this particular item. But, right now, we are asked to report everything including stuff that our routine

program finds.

One of the things that a number of us did comment on in the last final rule was some of the economics of that. And one of the areas that we were concerned with is the duplicate reporting, or looking for ways to improve the utility and the data. The various bulletins are already known as problem areas; we asked, do we really have to report this stuff? The way it is worded right now, we have got no relief from that. Directed inspections from ETOPS, from SSID, from corrosion prevention control programs, are already out there. We have to report all that stuff right now in another system or several systems. We now have to report it in the SSID program. Approved repairs by DERs, by the manufacturers, approved by the ACO. This has been pretty much public domain information, yet we now have to report it through this. If you really want to improve the utility in the system and get down, reduce the burden that we have to live under, why do we have to keep reporting this information in multiple different systems? We would love to see the FAA coordinate and get all the systems talking to each other, so we can report this stuff one time, to one system, and whoever within the FAA wants to see it or have it, they can access it. But, right now we have to report the stuff in two or three different places.

All I have talked about at this point in time is the data collection stuff. I want to touch a little bit on JASC Code. The way the rule is worded right now we have got no choice. We must use the JASC Code, period. We have got a couple of choices. We can retrain everybody in our system to start using it and throw out the old Spec 100, the ATA code that people have been using, the OEMs, have all their manual systems developed to the MRV and the MPD developed through the MSG 3 analysis. We can throw all that out and retrain everybody on the JASC Code. It is similar, I agree, but it is not the same. We have got to change all of that stuff, train everybody or go into records department to people who are going to submit the stuff on SDRs and they are going to have to recode every single piece of data.

We also have to set up computer systems to handle this. We don't have it right now. It doesn't handle the JASC Code. It handles the old ATA 100. And we either have to reprogram it or redevelop a stand-alone parallel system to keep track of all the stuff that JASC does. The existing JASC Code that I am aware of was developed in 1996. We are now calling it out in the rule. It is going to have to be revised. We already know that ATSRAC is going to come out with some aging wiring recommendations that will probably

involve more details being reported through the SDR program on aging wiring. The JASC Code makes no provision for that at all. We have been able to jump the ATA and play around with some ideas on ATA Spec 100, but JASC doesn't, doesn't do that.

Let's see what was the other point you have already gone beyond this here.

(Pause.)

MR. MILLS: New technology. As the new airplanes are coming together, some of the systems that used to be separate systems, separate computer systems on airplanes are getting combined, you know, whether it is a VIAs or some of the other systems, that bring things together. JASC doesn't necessarily take, you know, isn't able to keep up with these changes in technology, and they are going to require changes to the JASC. And my point is you put JASC in the final rule, that means every time you make a revision to JASC, and there are going to have to be revisions, you are going to change the final rule. You are going to have to make a rule change. Either that or you are going to have to figure out some way of identifying what revision of JASC you are expecting people to report to.

The necessary training cannot be done by the

current effective date. People are jumping through, they are already looking at, some airlines are talking about hiring upwards to 20 people to be able to handle this increase. It can't be done. Even with the JASC Code, we have got the same problems, if people don't apply it properly, we are not going to have useful information out there.

Switching over to JASC Code almost immediately, I, you know, I say here, but it creates a problem instead of saying negated, negates all historical data, it creates a problem because the old data that is in Spec 100 does not readily relate to the JASC Code because of the coding systems. And all that history for the last umpteenth years in SDRs, it is going to have to get recoded by somebody at Okla City, I don't know if they are working on it that, so it fits the JASC Code or we are going to have to maintain dual data bases.

I wish we could have participated in the development of JASC. I wasn't involved at the time and I don't know what went on or where it came from, but I thought it was interesting when I asked one individual at Transport Canada what he thought about JASC, he ****'t know what I was talking about. He thought they

were using Spec 100 still. So, I don't know where JASC came from. I don't know how it was developed, in public forum, but, I know ATA was not involved. Maybe they were invited, but we were not involved. You could benefit from input of people who actually use this stuff.

And then the last note on that page is one of our concerns, is that at the last ATSRAC meeting, an unnamed FAA individual specifically implied that the JASC Code is going to be optional. Well, if it is going to be optional, put it in the guidance materials, don't put it in the final rule, the final rule decision -- Unique numbering system. We threw this in because it ties in with the JASC Code, too, numbering, coding. There is no guidance on it, the numbering system. Is it unique to the SDR system? Is it unique to Delta Airlines or FedEx or is it unique to repair station? Who defines unique, there is guidance of how you develop it. And to use kind of a ridiculous example, but if you had a repair station named United Aircraft Line Services, UAL, and they put a UAL number on it, is it going to match the, what are the chances it could stumble across a number United Airlines is using right now? I don't know. There is no guidance on how in the world to set up this unique system.

If a repair station opens one, do they open it under their unique number or the air carrier's unique number? I don't know. What do you close it under? I don't know. Guidance materials, this is really making things more complicated.

The effective date is only 1 month away, folks. Now, you promised the guidance material, we still haven't seen it. It sounds like there might be something in draft form here in your hands today or it is going to show up pretty soon. But that is only part of the problem. If the language of the rule is clarified, you have already told us this morning we are not dealing with the language of the rule, but if the language of the rule is clarified per our comments that have been already submitted and put on the docket, most of the air carriers have, we would still need at least 90 days after receipt of the guidance materials to make this effective and have a chance to understand what you have asked us to do.

(Pause.)

MR. MILLS: And I think most people in the room realize that an advisory circular does us no good without trained inspectors. Both sides need to have instructions.

Okay. While it says that we request

withdrawal of the rule, we are not asking that you throw it in the trash can. It has got to be rewritten, Angela, it really does need to be rewritten. So, the operational and the structural interpretations are correct. Advisory material is one thing, but the words are very clear in the language, and people are going to say, "I don't care what the advisory circular says, that is a way, not the only way. The rule says every malfunction defect is a failure in these areas. I don't care if the guidance materials says we are only looking at safety-related things, we only want uncommanded movement, autothrottle or autoflight systems. The rule doesn't say that. The rule has got to be clear. Get the JASC Code out of the rule, or you are going to be stuck with a problem of having to revise the rule every time you revise JASC. If we have to use JASC, because -- then it is going to help them in the long run, put it in the guidance material someplace, but be prepared if you it in the rule, that you are not going to be able to revise it very easily. That is our opinion.

Let us know what this unique numbering scheme is and we need time to react to that and set that up.

And as I have already said, we need both the advisory circular and the handbook to go with the

reading of the rule. If you don't provide clarification in the final rule, and I don't mean just your guidance material, if you don't rewrite this rule, we need a year, over a year, to get in place the system, to hire people and you are going to get a 30- to 50-fold increase in the number of SDRs. That is our presentation.

MR. PHANEUF: I would like to give Angela a chance to address some of these concerns and then also open it up for others to make comments or disagree with whatever you would like to say.

Angela?

MS. ELGEE: First of all, I guess one of the things I forgot to mention, that I left out in my remarks in the beginning -- is that in this automation that we are doing, it is different than the way that it worked before. It used to be that you fill out an SDR and you send the paper to your FSDO, and they would look at it and then they would send it to Oklahoma City, and they would key punch it into the system and that is why it took so long before it arrived in the system. Under the new scheme, you send it directly to Oklahoma City, and hopefully most of you will do it through an automation means, either through the Web or through a batch upload and I think some of you are

already doing batch uploads with Oklahoma City. And then that information, that are SPAS, or safety performance analysis system, which is a software package that Mike Sanders developed, takes the information out of that data base and gives specific information to a specific inspector. So, you know, Delta's PMI gets all the, gets flagged with all the Delta SDRs. And in the aircraft evaluation group, let's say that the specialist who does 737s will get the whole fleet information for 737s. And also the ATOs look at this information to see if an AD should be considered or not. So, in this automated world, you know, we are sure that we are going to go, that it will be delivered a lot faster. And so it will be a lot more useful.

The point that you made about having multiple recording. I am willing to look at that and see if there is a way to make that automated and plugged in. Right now I don't think that any of that data is in the data base. I think it is all submitted on paper. And if somebody knows something differently, please correct me, but I think that the 81 10-3 and the CPCP and the SSID ADs, I think those, and even the manufacturer's 21.3, I think all of that is in paper and I don't think it is an automated data base somewhere. But, I am

willing to look at that being an acceptable means of recording SDR information. I think it is a legitimate concern to have multiple report things just because we have different rules and different requirements. I think that is legitimate. So, I am willing to look at that.

I don't know that I entirely agree that we are asking for all of the nonroutines, you know, and maybe part of the problem is that we have different definitions of malfunction defect and failure. I mean, we are looking for things that the manufacturer did not anticipate and, you know, the kinds of failures and defects, malfunctions that the manufacturer did not anticipate. And that is why I have seen a lot of comments, in one part of the rule where it, where it says reporting that there hasn't been data developed or words to that effect. And that is again with the, with the intention of collecting things that the manufacturer didn't anticipate, so, that is why there is no data. Not alternate data, I mean, the SRM has a lot of repair data. If you guys decide you want to do it a little differently, it is not that the limitations are different, it is the fact that, have you chosen a different way to do it. The things that we want to collect are the things that the manufacturer didn't

even anticipate.

I heard what you said about uncommanded flight controls and primary structures and principal structures and I think that was always the intention. And I think it is, John King can probably correct me or not, but primary and principal didn't necessarily apply to every operator in --

MR. KING: It is one of problems, in fact, several commenters want us to review that, in one of the earlier rounds of comments. They said the manufacturers would not provide what was primary, principal, so our change, removing primary in response to the comments we received.

MS. ELGEE: Okay. And, oh, in some of the, some of the, I have heard a lot of concerns about all the data that we are collecting, and I think the intention always was that some of the data is going to be mandatory and some of the data is going to be optional. And that you, you give as much data as you can, you know, for example, a manufacturer of a part, I think that is, you know, don't always know and you can't always find out. So, I mean, you know, we don't want the report held up because you can't figure out who the manufacturer was. And I think this issue came up in, with wires, and things like that, where is it

necessarily on there anywhere.

And the example that Rick gave about getting it down to whatever component, you know, caused the problem, again, I don't think we were thinking about actually doing a teardown report, you know, at the very nix. But, if you are having problems with alternators, for example, we want to know that if there is a fleet-wide all of a sudden problem with alternators. And I am just making a component. Not necessarily coils or you know, whatever, you know, brushes or you know, whatever there may be inside of it.

Because I think always, just to say this, the SDR data base was intended to be a growth trend analysis of what is going on in the aviation world. And that the intention would be that you would go and drill down then and try to figure out what was actually going on as causing these problems. And that would take a different kind of research.

A lot of energy around the JASC Code. And I guess that doesn't surprise me coming from the ATA. But the JASC Code was an intent, because every carrier was using ATA code in a different way and that was causing us a lot of problems with doing trend analysis on our data because every carrier, they were all using the first two digits, but they weren't using the third

and fourth digit the same way. And so, the JASC Code was an attempt to standardize how, what set of ATA codes we wanted in order to have everything the same. And I don't think you are quite correct, Rick, about saying that we need rule changing every time we change the JASC Code. In fact, I think it is just the opposite. We created the JASC Code so we wouldn't have to do rulemaking every time.

And John, maybe you can --

MR. KING: It is a very complex issue. And I will defer, I will respond to that one later on.

MS. ELGEE: Okay.

MR. KING: But it is very complex.

MS. ELGEE: Okay.

MR. KING: On how we will handle that.

MS. ELGEE: Okay.

MR. KING: We could mandate it exactly a certain version and then it would take rulemaking every time we changed one word in it. I don't think you want that, and I don't think we want that.

MS. ELGEE: But that would be explained as an appendix in the ATA as well. And I mean, our intention was always to parallel the ATA code as much as possible. And I believe there were several authorities around the world that came up with that code. And I

don't remember off the top of my head which countries they were.

MR. KING: Canadians were heavily involved.

MS. ELGEE: Okay.

MR. KING: Another one that we, we originally proposed the ATA code in the '95 PRM and -- not all of you people here, but several comments suggested the ATA codes, saying that is not what the use, so the JASC Code was a response to that comment also.

MS. ELGEE: Okay. And, oh, the unique control number, I agree with Rick and that is in the AC, too, that we give a suggestive format of how the numbers ought to be, because we identified that would be an issue if everybody is doing their own thing, then we are not, of course, you can't mandate it in an AC, but the suggestion was are going to have is that the first four would be the designator code and then followed by the calendar year and then followed by, you know, the first of the year, you know, the numbers until you get to the end of the year and then you start over again.

We are willing to seriously consider extending the effective date so that we can get all of our advisory materials into place.

And absolutely we will publish inspector guidance at the same time we publish any ACs. And it

all has to come together with the effective date. We can't be hanging, hanging something out.

And that is all I have on that.

MR. PHANEUF: We kind of have a choice here, I guess, we could go on with the other presentation or we could have an opportunity to comment further on the key issues that you raised in the answer. I am sure you would like to respond to some of Angela's comments. So, why don't we go that way unless there is an objection from the other presenters. Okay.

MR. MILLS: I was going to say if it please, yeah, I would like to, cross examination.

Richard Mills with National Air Carriers Association.

Angela, the last, the last thing you discussed, the unique numbering system. That really is an issue of concern to us. And I think if you follow on one of the slides, bulleted points, we talked about what if you send, what if you send the part out to a repair station and the question was does the repair station, in fact, use some sort of identifier of their own or does the air carrier, or do they use the air carrier's, because if they don't, and are called from the, from the FAA response in the comments, the purpose of a unique identifier was in fact to ensure that you

keep open Item A with supplementary Item A as opposed to confusing and I think that is one of our biggest concerns. The repair stations, the relativity of it is, is the repair stations, those who are going to submit on behalf of the air carriers, there is going to be a real problem unless there, and one suggestion would be if the repair station is told to report under the air carriers' code, but then you don't really know who the report was, was actually submitted by, we see a real problem there.

MS. ELGEE: I would actually like to, I would prefer to see the repair station have their own code because there is a data element for operator designator, so, we will still capture that. But, the intention of that part of the rule, to let the repair station report instead of the air carrier, it was just for your business reasons. I mean, if you don't want the repair station to report any of them, fine. If you want to have them all of them, fine. I mean, it was just to try to provide possibility in how you do business and we didn't want to get duplicative reports, you know, on the same issue, have the repair station report and then the air carrier report. So, I mean, whatever scheme you want to work out, would be fine.

MR. MILLS: Here is the problem of that, as I

see it. And I understand and I think we appreciate the fact that the FAA would allow us to have the repair stations report on our behalf. But it increases the burden on both because, let's say for example, if I as the air carrier say no, I don't want you, repair station, reporting on my behalf. I will do it myself. How am I going to ensure that I have got that information from discovery within 96 hours so that I can report it myself? The utility of having the repair station being able to submit the report immediately is handy, but then it makes, handy in that respect, meeting the time criteria, but it makes it more difficult to coordinate supplementary reports on the back end.

MS. ELGEE: Well, how do you do it now? I mean, wouldn't you put it in your contract? I mean, I am just guessing.

MR. MILLS: I suspect that it would be a contractual issue. But, but, the real focus of this problem has to do with maintaining the integrity of the unique numbering system so that you get the utility you want out of the report.

MR. PHANEUF: Okay. Are there any other comments on this particular issue? There are three or four others that came up. Do you have another comment

on this?

MR. LOTTERER: No, not on the unique.

MR. PHANEUF: Okay. Okay. Well, why don't you give us your comment then. I think Angela was saying, you know, a lot of these details will be in the advisory circular. So, you will have another opportunity to give your views on that.

MR. MILLS: I think that Rick pretty much summed it up. We would really like to be a party to, especially the comment period on the advisory material, because I think, I think that to not work in partnership with you on this would be a grave error. I think this real-time experience out in the field will be a benefit to the FAA in providing that, that material.

MR. PHANEUF: Yes, your comment?

MR. LOTTERER: Hi, Dave Lotterer with RAA.

I guess my problems with this rule focus really on two areas. (1) the issue about the nondiscrepancy reports, and (2) the JASC Code. I represent 60 airlines, several of them are 121 operators and operate just two airplanes. I regularly communicate with them by e-mail. So, I know that just about everybody out there has a computer. So, when the rule with respect to electronic submission was dropped, I was kind of surprised, because I really viewed that

as the principal reason why this rule would, in fact, benefit or become more efficient, the process would become more efficient, simply because of the use of electronic data.

The issue on the JASC Code, I mean, maybe I am oversimplifying it, but in terms of fields, I mean, people have the capability to sort data by fields. So, the JASC Code is simply another field that you use to sort data. If you have an ATA code, you have an operator code, you have a part number code, you have several other codes, you sort it according to that data. So, I am really at this point still baffled by why we need another field called JASC Code.

Now, I worked with a group on that original JASC document when it was developed and it was in fact submitted to an ATA working group that works Spec 100. At that time, we went through it and we said, well, look, we said it differs by, Boeing came up with 35 differences. I think we have gone through it whereas the first two digits are specified by the code, and then the last four digits are specified by the manufacturer. So, you will get a variation among manufacturers. But, the problem is, we were told like on ADs, about 5 or 8 years ago, when an AD comes out, we used to have language that says, when it referenced a service bulletin, it said are later approved FAA

version. We were told by the, the FAA was told by the Federal Register people that you cannot reference a document in a rule that doesn't exist at that time. And so, this was the basis for our objection to putting the JASC code in. That there is just no way you are going to keep up. And even if you change just one digit, it is going to take somebody additional time to sort out and to put that one digit right because we are talking about rulemaking. This is 121 rulemaking now. So, I mean, what is the benefit to basically setting up people for noncompliance with the 121 rule?

The other issue that I wanted to mention and you mentioned it, Angela, in terms of this issue on part and component. And I requested in the document material that you slash it part/component, depending on basically give the operator the ability to submit that data in one way or the other. You didn't want a complete teardown. Rick mentioned the issue about power by the hour programs, where you basically use parts of the manufacturer. They are entered into your system, but once, once they go out, why there could be just a substantial time. And if you, if you say component, it is still, we are talking a 121 rule that puts the operator at a disadvantage of saying, well, I don't have to submit all the components, if you have a

complete teardown of bushings and bearings and so forth, we would have to go back to the manufacturer and request a reason why. Well, he may have done a teardown without really trying to develop an actual reason. He found things wrong with that part. But it just puts us really in a real quandary, a legal quandary as to compliance with the 121 rule.

We, of course, have been criticizing the SDR system for years and years, in that basically most ADs are developed through the coordination between the operator and the manufacturer. The SDR system was largely used by basically groups that were set aside, had plenty of time to develop and look at data and they, in fact, used the data. But, they had the opportunity of looking at the data with a 6-month period and then basing certain conclusions on that. ADs, of course, cannot wait for that kind of time period.

I went into the docket material and you have this form, your basic form, but when I tried to say, okay, let's say I want to look at a 727 landing gear issue, I can do my fields. How do I download this data? Like in the NTSB data base, for instance, on accidents you download the complete data field. But, in this one, you have to download them one at a time.

I just, I don't understand why you are setting up a system that is basically just as clumsy as the old paper system.

MS. ELGEE: Okay.

MR. PHANEUF: You want to talk about that a little bit?

MS. ELGEE: Well, I am going to --

MR. LOTTERER: Well, the JASC Code, for one, I really think, you know, we have different attorneys, but --

MS. ELGEE: Well, I am going to let, I am going to let John field that one later. He said he would.

MR. LOTTERER: Well, the issue on the field, why do we, why do we need an additional JASC field?

MS. ELGEE: It is not, it is not an additional field. We always had the ATA code on the SDRs.

MR. LOTTERER: Right.

MS. ELGEE: Okay. And instead of calling it an ATA code, we are calling it a JASC code because we knew it wasn't going to be exactly like their specs in that each operator has been using it differently. In fact, I think that the spec only goes to three digits, correct?

MR. WHITE: Six. Some manufacturers.

MS. ELGEE: Oh, for the different

manufacturers. Everybody was using a different ATA code.

MR. LOTTERER: Which is good.

MS. ELGEE: No, it is not good when it comes to trending data.

MR. LOTTERER: Well, just sort it out by the first two digits.

MS. ELGEE: Well, we have been, but we wanted to go to a more detail. We wanted to go to a four digit. We have always been sorting on two digits.

MR. PHANEUF: Okay. Let me see if we can move on here. There is one more comment? Okay. Try to keep it to 2 minutes.

MR. MILLS: Very short.

MR. PHANEUF: Okay.

MR. MILLS: Angela, you said earlier that you were concerned, the reason you had moved from the ATA code was because it wasn't applied uniformly against the industry.

MS. ELGEE: That was one reason, yes.

MR. MILLS: And I submit to you that the same thing is going to happen with the JASC Code. In the individual carrier, you can't get everybody to agree as to the interpretation of what area something needs to be reported in. I am not saying as a general rule. I

am saying --

MS. ELGEE: I am not ever going to say it is going to be perfect.

MR. MILLS: That does happen. So, now, what you are doing is you are heaping on top of that, let's learn a new code and then let's interpret how to apply that.

MS. ELGEE: You all keep saying it is a new code. It is not a new code.

MR. PHANEUF: All right. Let me, there is another issue that you raised that John responded to and I don't know that everybody had a chance to talk about. The requirement with regard to principal and primary structure and so forth. John made the comment that the change was primarily due to comments against that. Any reaction to that? Seems like that is hanging here as an issue.

MR. TURCO: This is Scott Turco with Delta.

I am kind of surprised by that comment, because most of the, at least the major OEMs do identify principal structure and primary structure in their SRMs.

MS. ELGEE: In big airplanes, right?

MR. TURCO: Well, the ones we buy.

MS. ELGEE: Yes. I mean, there is a whole

category --

MR. TURCO: But, again, if the reason for removing that limitation was because some OEMs do not provide it, that means you are going to get all the data. Every team, no matter if it is secondary structure or not.

MR. PHANEUF: I guess we are not going to resolve that here.

MS. ELGEE: No, we are not going to resolve any, I mean --

MR. FIGUEROA: Now, were you speaking to 704 now, on 121.704? If you are read the preamble or the common section, the reason that was removed was because of the public comment. And that is what we intended because part 25 and part 23, which are the two certification bases for the air carriers, for the aircrafts using air transport, speak to primary structural elements. And that is why we originally put it in the rule. But somebody commented that all, all manufacturers and all carriers don't speak to that language. But the intent was primary structural and the advisory circular will speak to that because we can reference it to the certification rules of those aircraft and that is a common term, global --

MR. TURCO: So, you are saying the intent ends up in the advisory material, it will reflect that we

are not required to report anything other than primary structural or ESE.

MR. FIGUEROA: Those items that were intended for -- and the advisory circular will bring that out. And I want to make another comment, because I don't want anybody to leave here with a misunderstanding, which Rick made a comment about the rule specifically should say what it says. But, in your understanding of the rule, you have to read the preambles. Because that becomes a legal document to that rule when you are establishing the understanding of the rule. Those preambles will always stay there with the rule for understanding of the rule. Then that is how we come up with policy as well.

MR. CARROLL: Can I speak to that? I would love to have that one.

MR. PHANEUF: Yes, but before you do that, we do have another presentation and I am sure the same issues are going to get raised again. So, go ahead and do that, but I would like to keep the thing going.

MR. CARROLL: For the benefit of the microphone this is Greg Carroll with Delta.

The problem that, I think, all of us feel a little bit uneasy, Angela, having the opportunity listening to you talk twice now and I appreciate your consistency that everything you said is, sticks with

the, kind along the lines of the intent of the preamble. The reason I wasn't comfortable last time we talked and the reason I am still not comfortable with what the AC is going to say or the handbook bulletin is going to say, or the preamble say, is that my job at Delta is to interface and field the concerns of your front line inspectors. Okay.

MS. ELGEE: I knew that was coming.

MR. CARROLL: Now, these fine people, God bless them, some of them under the wonderful world of ATOS, are literally, they are writing us EIRs based on literal interpretations of the regs without consideration, whatsoever, to ACs, to handbook guidance, to preambles, to any of the other stuff that is there. All this shows up in the public record. When Atlantic Business Chronicle comes and says, you know, give me all your letters on Delta Air Lines, no matter how kindly the issue is resolved, the piece of paper is there, that the FAA wrote this against Delta. It is on public record and we are going to get tons of these things when these folks walk out there and start with regulations and start, and saying why didn't you report this? Well, because Angela said, no, you know, so, anyway. So, that is really not --

MS. ELGEE: I mean, I have talked to Roger

about this before and I know the concern is there. And really we are, I know you won't believe it until you see it, so, I mean, I am not asking you to believe it, but I am really, really committed to getting standardization out there in the field. And, and, producing better policy and better guidance, you know, so that they are all, you all are at least on a level playing field, and that we are getting the results that we want.

MR. CARROLL: I appreciate that. And I think that will hold true for the first year or so, and inspectors get replaced and what have you, and all of a sudden nobody remembers the guidance that was behind the rule and then we are back to trying to defend ourselves. Believe when they walk over and say, "I think, feel or believe you had done this wrong," then it is up to us to go and research it, defend ourselves, write the letters back, etc.

But, one other concern. We are concerned about the, and I am not going to retell any stories that Richard, they did a fine job with that. But, let me just take from a practical standpoint, let me just take one little, one little point here. Go back to the 121.704, okay, it says cracks, corrosion, etc., that are more than acceptable to the manufacturer. Let me

tell you the problem with that from a very low-level practical standpoint. When an airplane comes in for a heavy maintenance visit, the inspectors walk around and identify all the little areas, every little dime-size spot of corrosion on the entire airplane. There is no guidance as far as what is acceptable corrosion. Corrosion is cancer. Corrosion grows. It has got to go. We grind it, and then we evaluate what is left. Now, if you read the language of the rule, every single spot of that, because we don't know what is or isn't acceptable to the manufacturer, but what is left, then we have limits for what is left, not for what is ground, everything has to be ground. Nothing can stay. So, every one of those has to be reported. And the point is we have a little sign with a current, with the current regulation. It has all the stipulations for the current regulation on it. And in it we say, if in doubt submit it. Okay. So, we have to take the posture because of the way that our local FAA enforces the rules on it. We have to take the posture that if we are in any doubt, we have to come up with the reg and that is the whole, or we have to come up with a report, rather, and that is the whole problem and why we have estimated that these numbers are going to be so huge. And I wish that I could tell you that we were at a point with the information technology the way it is

supposed to be today, in terms of a point and click environment, but unfortunately, we are not there yet. But, we are going to have to, just because, just because the manufacturer's name is now required, we have already been doing the operator, designator and the individual code for each report and all of that, which I hope we don't have to change our format for that. But, anyway, it is going to take us at least a year to get our people to redesign our submission program to do this electronically. And based on our forecast, I think if you all go to your copy room, you see these big cases, the 10 million cases of paper with 5,000 sheets in each box, Delta Airlines is going to have to hand one of those things to Oklahoma City every 2 1/2 weeks. Who is going to input that data? Who is going to input that data?

MR. PHANEUF: Okay. Thank you.

MS. ELGEE: I did just want to mention, though, that the AC, we were going to explain Level 2 corrosion and Level 3 corrosion.

MR. FIGUEROA: May I respond to him?

MS. ELGEE: Briefly.

MR. PHANEUF: Yeah, yeah.

MR. FIGUEROA: We clearly understand that. And we will be talking to that in the guidance that we

understand. You find a piece of corrosion, you don't know what it is until you clean it up and find the little crack in there and assess that. And your process should include that. When you discover that, that is the criteria, at that time you discover it, because you are right, the aircrafts have many, many spots of corrosion that you have to assess to see what level, what damage and when you discover that you have that, then you would require that time discovery, because you are absolutely correct, every spot of corrosion, you don't know what is on there until you make your assessment.

But, that is critical to the air carrier program to have good guidance to, so that people can follow and inspectors go out and say, they followed their process, they did what they were suppose to do.

MR. PHANEUF: Okay. Let's, let's take about 10, 15 minutes and then hear the other presentation. And I am sure we will have a chance to talk more about these same issues.

Who is it that is presenting the second one? No one? I thought we had two people.

MR. MILLS: Actually, it --

MR. PHANEUF: Oh, oh, okay.

One more comment and then we will take a

10-minute break. How is that?

MR. EDWARDS: That would be most welcome.

Thank you.

Tom Edwards from United Airlines. I would like to first respond to Jose's comments. I am happy to hear that we are going to have the moment of discovery of a problem be that point when we ground it down and really have an inspector go back and take a look at it because one of the things that concerned us was the timing. At HMTVs, that is our heavy maintenance visits, sometimes we are in 30 to 50 days. All of the findings are all of the initial nonroutines are generated, but sometimes it is, there might be a week before we get them all processed to go back and decide whether they were significant or not. So, that 96 hours would certainly be violated by that kind of a time constraint. So, I am happy to hear that you are considering that in your, the reasoning for the advisory circular. We very much need that.

I would like to come back to Delta's comments. We certainly agree with their interpretation, if it does get that far. We do have some kind of an electronic data submission system. But, it is still is going to be quite labor-intensive, reworking all of the individual JASC Codes. I took

just a little bit, sitting here, being accused because we are ATA people we can't get used to a different code system. It isn't the pride of authorship issue. The issue that we have is that we are going to have to spend 20 minutes on each on one of these, making sure that the JASC coding is correct along with the guidelines. So, in our case, we are being rather conservative in what we estimate. We think our number of SDRs will go from perhaps to 12 to 1400 up to maybe 6,000. Now, you might forgive us if you will understand that we were reading an interpretation of the original preamble, which would limit that just to primary structure. But, that still is a fivefold increase in what we are expecting to do. And if that, in fact, is followed out and we add the 20 minutes to the JASC coding, we are still talking about 500 to 1,000 man hours added to our requirement just to make sure the coding gets corrected and when it is input.

I had a few other comments I would just like to throw in.

One of them was that in the advisory circular or in the rule as it was issued, there is no mention of corrective action. Many of my colleagues in engineering rejoiced at that and said, "Gee, now we don't have to go chase those issues down." In just some

casual talk around the room this morning, I understand that corrective action will be some of the coding that is requested or required. And it brings me to the point of, the issue of optionalness of the various data elements. We really do need to know which ones are required and which ones are optional. I will tell you frankly, the one that gives us the most potential agony is one to go back and identify when the previous accomplishment was done on any one of the, to look at any particular card and find an SDR report and go back and find out the last time it was inspected is between a 2- and 4-hour research job. It is not, it is not casual. You can certainly go back and say, oh, it is a "C" check thing. It happened last "C" check. If that is going to be adequate, please indicate that, because that would make our jobs that much easier. But, if you do require an actual term, how long it went since the last time it was looked at, we are talking 2 to 4 hours for each one of these, for 6,000 tasks that we would propose inputting, you are talking 12,000 man hours, that is 6 equivalent man years. And so, by any stretch of the imagination, the estimates of what this cost would be to the industry are far understated.

MR. PHANEUF: Do you remember where that occurred? The FAA is not quite sure, where it shows up

in the rule?

MR. EDWARDS: Which element?

MR. PHANEUF: This requirement to go back to the last inspection.

MR. EDWARDS: Right here.

MR. FIGUEROA: The total time is what he is referring to, which --

MR. EDWARDS: Yes, it is the time since last maintenance, overhaul, repair or inspection. And it is part 12 under E.

MR. PHANEUF: Okay, 703. Thank you.

MR. EDWARDS: One last comment.

MS. ELGEE: If applicable.

MR. EDWARDS: I am sorry?

MS. ELGEE: If applicable.

MR. PHANEUF: What is applicable?

(Pause.)

MR. EDWARDS: As you use it, we will just say it won't apply very often.

MR. PHANEUF: Go ahead, you had some more.

MR. EDWARDS: I have one last comment on this. Our experience is, that we have done 1,000 to 1400 of these annually and we are very particular about what gets included in the SDR, because we realize people have a difficult time getting through a lot of data, so when we have submitted them, they really are, in our

estimate, closely tied into the definitions of 121.703 as they currently exist.

We see in this upcoming surge of data, a dramatic, what shall we say, diminution of the individual relativity of each one of the reports. In other words, we are sending in 12 to 1400 items. We in our estimate would say maybe 80 to 100 of those are really, you know, kind of slaps in the forehead, "Wow, I didn't know that was happening." So, we think that maybe 10 percent of the data we are currently sending in, and that is 12 to 1400 a year, are meaningful directions to a manufacturer. Now, we are certain that the manufacturers get them because we copy every, every report we make to the FAA, one goes to the manufacturer. But, our concern is that out of the next 4600 that you are talking about requiring and that is our interpretation, we doubt there will be as many as maybe 50 more quality inputs in there that were kind of a surprise.

Now, in our cases, normally, we would pick those up anyway. My suggestion is that if you multiply the data by 10 times or by 20 times, I doubt seriously that the increase in the number of discoveries is going to be more than a fraction of a percent of what you get. So, I would just suggest that there is going to

be an awful lot of data minding here for not much more significant finding.

Thank you for your time.

MS. ELGEE: Can I make one comment to that? When the rule got expanded, the rule got expanded in, not, not the intention of the number of reports, but the phase. In other words, that we only collected information regarding if something happened when the aircraft was being operated. So, if it was caught sometime else, then it wasn't captured. So, that was the intention, was to capture those safety-significant items that are safety-significant but still didn't happen during the operation of the aircraft.

MR. EDWARDS: One of the, one of the things we have observed over the years that we have been pursuing SDRs, is that there is a very general charge in the current 121.703 or the previous 121.703 which says "or any other event which is judged significant to the safety of the airplane." And so we have been including whatever we find there, whether we found it in the heart of a "C" check or whether it happened during takeoff roll. So, I don't think we have missed that. I know that the effort was to try and strengthen the rule for, the rule for others, but I don't think there

is going to be that much more significant, that comes out of the reports at least from United Airlines. Thank you.

MS. ELGEE: Thank you.

MR. PHANEUF: Why don't we take a 15-minute break, if that is okay with everyone, and come back at 9:45.

(Whereupon, a short recess was taken.)

MR. PHANEUF: We do have to vacate the room right at 12. It is scheduled. So, I want to be sure that we make the best use of the time that we can here.

And since we don't have any other formal presentations, I think we would like to proceed on with these comments.

I would like to be sure that we get representation from all of the segments of the industry that are here. And I know we have heard a lot from the air carrier industry, and I guess part of the manufacturer industry. Is anyone here who is primarily a repair station that might like to comment on any of this?

PARTICIPANT: I own a repair station.

MR. PHANEUF: Yes, there are a lot of manufacturers that also are. Since Sarah is not here, we don't have the benefit of her wisdom.

Yes, sir?

MR. MILLS: Would it help? I was prepared to make another comment that Sarah made me promise that I would bring up is that --

MR. PHANEUF: I don't think we have time.

Yes, I would like to get that comment, but did you want to say anything specifically about the repair station?

MR. SIRICO: Yes, just --

MR. PHANEUF: Quickly.

MR. SIRICO: I mean, basically I am in agreement with everything Rick said before. However, on the engine side of things, as we read this we can apply this to engines. And as I listen, the preamble, engines would not be a structural element. So, we really need to get that clarified as to what is in and what is out. Because a lot of times when you are talking aircraft, you talk everything on an aircraft, and since today I also I have my hat on today and my Sarah-hat also, because they are not here with me. And they have the same kind of issues.

In terms of what was put out, was a suggestion that things have come up in scheduled maintenance, they will need to be counted. I would like to point out that as far as engines go, condition maintenance as well as a lot of components, and these engines move around. People stagger these things as

you fly them. They stay on a lot longer. We have no idea where cracks started, you know, and on what aircraft it did. You try to tie these things back, and the same for components, because there is so much staggering and movement. A lot of this becomes a nonissue.

MS. ELGEE: You mean trying to tie it back to operator designator?

MR. SIRICO: Right. Typically it will stay, unless it is a leased engine, which moves around a lot of different operators, so, for the lease operator, you will never know. And for when it is inside someone's fleet, it will see different aircraft, you know, because the engines get staggered. They get moved around. Some folks will move engines that begin to perform less than optimally to freight use. There will be times staggered. So, there is no time the engine back typically, you know, where they were. Because when you open it up and look, you have no idea when this started.

But, if we take engines and components out of the picture, then maybe all this goes away. But, unconditioned maintenance, we need that, the exclusion for scheduled maintenance doesn't help us. The idea is right, but we need a change.

And lastly, since I have been mostly in the operation of -- Northeast Region, I have got to say the most PMIs are a law unto themselves. And when they come in, they will bring the reg. They don't bring the preamble. They don't bring anything else. They bring their own interpretations. And we spend a lot of money having these discussions with them. We spend a lot of other people's time with these things. And so, our read of the document, basically, is that it is unclear. What you are saying with the preamble says, is what, not what the words say. That is putting it to the bottom line.

And once again, I am Joe Sirico from Pratt and Whitney.

MR. PHANEUF: Thank you.

Some more comments?

MR. ANDERSON: Again, this is Rick Anderson with ATA.

Along the same lines, I really commend, Angela, your efforts to try to make the advisory circular, the guidance material as clear as possible. I mean, I appreciate everything you are trying to do here. I am not an attorney, and maybe this needs to be directed at the attorneys, since they tend to have the last word in what ends in the final rule. But, just to

reemphasize the point. Why in the world can't the final rule words be as specific as the guidance material? If you don't have these adjectives, uncommanded movement or primary principal structural elements or it doesn't include the routine scheduled maintenance program, so if you don't have that stuff in the final rule, just like he said, the PMIs are going to bring their own interpretations along with them. And like was mentioned earlier, perhaps a year or so we are going to have a grace period here, as everybody starts to read the advisory material and tries to understand it, but a year or so later, that is all going to go out the window and people are going to be reading what the rule says and interpreting it just exactly the way it says. Why can't this guidance be put into the rule? I know they want plain language, but by God, they, they knee-jerked to some of the comments to the point where they have made it so plain, that now you have to report everything. We are back to the lowest common denominator and that is the way you have to interpret this stuff. I am not saying that you, I don't want the, we agree with what you are trying to do. We thoroughly agree with trying to capture this from a perspective, so that we in the air carriers or at a repair station don't have our blinders

on and only see what is happening in our little world irregardless of what is happening with similar equipment around us. We need this sort of a data base out there. But I don't understand why in the world the adjectives can't get in there so that we can clearly understand what it means by reading the rule without having to know what the preamble said.

You have got people like Russ Eubanks to work for you, that understand this stuff and goes back to the CAB rules and understands all, that is well and good, but we can't keep bothering Russ or some of your other worker bees to get this interpretation to feed it back out to our PMIs and say you are misinterpreting what the rule says. We can't do that all the time. Why can't we get the rule rewritten? You couldn't, it is my understanding and I am not an attorney, and I ***t understand all of this, I have only been with the ATA 1 year now, but it is my understanding that this thing can be rewritten in a way that narrows the scope down. If you broaden it more, yes, you have got to out go for due process and give us a chance to comment on, but you can rewrite the thing so it narrows it into what your preambles say, without having to go back out to the Federal Register. That is my understanding that you can make this thing less, it is the opposite, more

restrictive, more constraint and not as broad as it is right now. Without having to impact our due process right. So, it can be rewritten.

MS. ELGEE: I will, I will throw it over to the attorneys. I don't know the answer to that question.

MR. KING: The bottom line, if you change the substance of the rule, is that it really needs to go out for comment, because not everybody sees it the same way you do. So, everybody, there is probably somebody out there who thinks this rule is wonderful. And we have to make it available both ways. Any time you start changing the language, you really need to put it out for public comment a second time.

MS. ELGEE: One of the things, you know, that we have talked about, you know, in discussions about this rule, I mean, there was a reason for all of, which words went in and which words got left out. And I guess I would say this to you, Rick, is that really you are hitting on a much broader problem or a broader issue, that I don't think would go away no matter what words we put into the rule. I mean, somebody is going to interpret it their own way. I mean, the problem is that we have inspectors who interpret things differently. So, really we are trying to work on the

long-range problem, which is training. We have got several courses in process right now for regulation, more specific regulation. Training, principal training, and for recurrent training. And to make our policy, and make our inspectors accountable for following that policy and not go off on their own. And so, what I am saying, I guess, is that we could sit here and rewrite that rule, you know, until the end of time and it isn't going to change that principal inspectors will interpret it differently.

MR. ANDERSON: Well, it needs to be done in conjunction with your guidance material.

MS. ELGEE: Well, I -- Yeah.

MR. ANDERSON: You have got to, your advisory circular or handbook bulletin, I don't see why the rule wording, I mean, they made, in my opinion, a knee-jerk reaction by taking the primary structure, principal structure out of the rule on the noncomposites side of things. That was based on some --

MS. ELGEE: Well, I wouldn't call it knee-jerk. I would say --

MR. ANDERSON: -- comments made. But, irregardless of what the impact was going to be on other people.

MS. ELGEE: Yes, I wouldn't call it knee-jerk,

I mean, you have got to understand that in our rulemaking process, we rely on the comments that come back to us and you have got to admit that in two comment periods, not very many people commented at all. And you had opportunities to tell us everything that you told us today.

MR. ANDERSON: That is because the preambles at that time, at the time led us to believe what you were looking for was fairly straightforward. But the final rule words don't, don't say what the preambles said and that is our big concern.

MR. HILL: Can I make a comment along those same lines?

MR. PHANEUF: Yes, go ahead.

MR. HILL: This is Doug Hill from Northwest Airlines.

And I was listening to your comments, Angela, about the intent of the rule was to collect data that is significant or unusual. And you are looking for things that the manufacturer didn't anticipate. And in fact, there were some comments to the draft and in one of those responses to those comments on page 56193, the FAA's response was "The SDR program was never intended to substantiate the effect of this, of manufacturer repair manual development -- and repairs." And yet,

when the rule came out, there was no exclusion or items that were generated during the course of operation that were repaired per the manufacturer repair manual. And as a result of that, you are going to see every SRM repair having to be reported. And that is going to generate just a tremendous amount of volume. And the FAA said clearly in their comments that wasn't the intent.

MS. ELGEE: Okay. So, which paragraph do you think will require reporting all the SRM data?

MR. HILL: Well, the fact is that there is nothing in there that, the only part of the rule that says something is, specifically quoted, is something that is in the manufacturer's maintenance manual.

MR. PHOENIX: 704(a)(2).

MR. SIRICO: And for an engine, every bit of it has to be repaired as exceeded the limit. Because that is why you repair it. So, if you just think about a jet engine with say 100 turboblades up in the first stage, each one may have a heat crack or 100 veins or each with a heat crack, that is 100 reports. And if you read this literally, you are going to have to address each crack, multiply it by the number of cracks found, and it is, where are we.

MR. WHITE: And I can just see, you know, our

inspector out there on the ramp at one of our stations and someone, you know, clicks a straight with a baggage cart, and does a little damage there, and we have an SRM repair. We go do that SRM repair. If we don't report that, you know, he was a witness to that event, now, we are going to have a problem.

MS. ELGEE: But, that is not a malfunction of the aircraft, though.

MR. MILLS: By definition it is a defect or a malfunction.

MR. PHANEUF: Let me ask a question.

MS. ELGEE: But, that is --

MR. PHANEUF: Is there an interpretation problem with the use of the term in the manufacturer's maintenance manual? Did the FAA intend that to mean there are a whole set of manuals including the SRM?

MR. PHOENIX: It is.

MR. PHANEUF: Is that what is --

MR. PHOENIX: The SRM is the maintenance manual.

MS. ELGEE: Okay. But it said that --

MR. PHANEUF: You just said if it is in the SRM, we still have to report it.

MR. HILL: No, that is not an interpretation of the language in the final rule. Because it says

maintenance manual, the manufacturer has a maintenance manual, the manufacturer has a structural repair manual. If you would have said the manual system, or something like that, well, then that would be --

MR. PHANEUF: Well, that is what I am asking, what was intended.

MS. ELGEE: Well, but it says here, corrosion, cracks and desponding that requires -- because of corrosion, cracks or desponding -- manufacturer establish liable damage limit. And it doesn't say anything about, you know --

MR. HILL: If it exceeds the limit, I have to do a repair.

MR. MILLS: There are basically two options here. One maybe that there is a manufacturer malfunction that there is a tolerable limit that you can return to service, whatever. The only other option is to repair it. And I think what you are saying is, is that even though the manufacturer may have anticipated that type of damage and may have a standard structural repair for that type of damage, what it says is that we still have got to report that.

MR. FIGUEROA: I think the thing you have to take into consideration when you set up a program of SDR under 704, you have to and I can go on back to the

preamble, we meant those things that are primary structural elements. -- Again, again, when you -- I read the preambles, I, because I know that is part of the rule. And if people are not doing that, shame on them. I can't tell them to do it, but they have got to read the preambles of the rules.

MS. ELGEE: Jose --

MR. FIGUEROA: And that is how I -- But, I understand that, and like Angela said, we can't --

MR. HILL: Let's take where a specific repair is included in a service bulletin instead of the manual system. And the comments to that concern that were voiced in your original draft, were that the SDR program was not intended to substantiate the effectiveness of a service bulletin. But, the rule when it comes out says even if I have a service bulletin and the manufacturer anticipated this problem, if I see that problem and I repair per that service bulletin, it is still must be reported.

MS. ELGEE: But, where do you read that? I mean, that --

MR. PHOENIX: That would be 704 -- repair made in accordance with the predata not contained in manufacturer --

MS. ELGEE: Okay. I am just going to be

totally, totally candid here, and I know it is going on record, but what the heck. I will probably --

That is the one paragraph that has bothered me the most. And that is because even, not only because the grammar is a little bit odd, but the intent of the last paragraph was not to collect everything like every DER data, you know, every 8110-3 or whatever. The intention was that if this was something that a manufacturer had not anticipated and that is why it is not in the maintenance manual, that is the kind of thing that we want to know.

PARTICIPANT: It doesn't say that.

MS. ELGEE: I know. I know that, well, it could say that.

MR. PHANEUF: It sounds like --

MS. ELGEE: I am not promising anything.

MR. PHANEUF: There is an agreement as to what the intent is and the argument is over what the language is.

MR. CARROLL: We keep hearing "ching, ching," because that is going to cost us money.

MR. PHANEUF: Okay. I just want to be sure that we do have that.

MR. EDWARDS: This is Tom Edwards from United again. I just returned from an agonizing, I mean, a very pleasant week in Dallas talking about an ARAC for

ETOS and LROPS, not ATOS, ETOS and LROPS. And one of the discussion items there was on just how we approach making a recommendation for rules where right now there are really three sentences and that is the extent of what controls ETOPS, and then there is a 50- or 60-page advisory circular that really tells you what it all means. And it really isn't specific enough in the rule and so you have to go to the advisory circular. And what was suggested is perhaps we should sit down and put the details that we would really like to see in an advisory circular and then write an executive precede of the advisory circular to bring the thing to the rule. And I would suggest that instead of having a statement that would come out and say, and include damage to all structure that is not covered by an SRM, that you would say in the executive precedes something like "to report all damage to structure appropriate to the level of requirements judged necessary," I mean, the very general words that we have grown so used to in regulations that need interpretation. And that would be the way to do it.

The way this rule has come out, it is very specific in its general way. In other words, it has covered the waterfront just by the way it has been stated.

MR. PHANEUF: Thank you.

MR. ANDERSON: In part, this is Rick Anderson with ATA. Part of the frustration and Jose, you were talking about what this thing says. In 704, on the structural side, they have left the words in here for primary structure and principal structural elements. That is in there under the composite paragraph. The fact that those adjectives are not in, in the area that is noncomposite, leads one to interpret this to mean that that doesn't apply to the noncomposite structure. Consequently, we are back to, you know, reporting each defect related to cracks, corrosion, or desponding. Now, you have got it in one part of it, you don't have it in another. There is an inconsistency there or someone can read and say there is a meaning for it to not be in both.

MR. FIGUEROA: Now, you are reading the 2000, the last Federal Register, correct?

MR. ANDERSON: Yes. The September 15th.

MR. FIGUEROA: You have also got to remember that this, this, the comment which will become preamble, will not supersede -- because what was published in '95 and '99 are still legal documents, correct, John?

MS. ELGEE: Yeah, but he, what he is asking

about is why did we use those adjectives in one part of the rule and not the other.

MR. FIGUEROA: Because when we were reviewing comments, I asked a question and they said if it was already commented, in the '95, if it was always addressed in '95, we weren't going to repeat it again in the 2000 because this document will become this big, because it is all part of the docket.

MS. ELGEE: That is not what he is asking. He is asking why are the adjectives in the rule, in one part of the rule, and not in another part of the rule?

MR. FIGUEROA: But, in the actual verbiage of the rule?

MS. ELGEE: Yes.

MR. ANDERSON: You are trying to clean things up, you are falling back on the preamble to the -- but you have got the words there.

MR. PHANEUF: I don't know that we can explain the difference, but it is certainly noted that there is a difference and could be interpreted to be, delivered differently.

MR. ANDERSON: Yes.

MR. KING: I don't --

PARTICIPANT: Yes.

MR. MILLS: This is a marvelous segue to our,

although I would not -- I would not presume to speak for Sarah. What, her comment, part of the comment she was concerned about making sure that we made plain, had to do specifically with the language. And, and Angela, I think we sent this to you a little bit earlier. But, at the beginning of the rule language, where it says, well, in fact, the header on it is "Service Difficulty Reports Operational," okay. And then if you go down into the actual language of the rule, "certificate holder shall report the occurrence or detection or failures on," dah, dah. It doesn't say with regards specifically to operational in the body of the rule. Whereas, if you look at the structural segment of it, it actually does say, somewhere in there, that it *****t, no, I am sorry, I take that back, in neither place does it say one is structure, one is operational and therefore, either of those categories could happen at any time, whether it be during operations, whether it be during maintenance. And I think at some point in there, there was a reference to ground operations. And candidly we don't have a definition of operational outside of, if you are talking about flight time, there is a rule, there is a definition in FAR 1, that describes, describes the, what flight time is, but

there is no definition of operational or ground operations. And therefore, that in and of itself may expand the scope of the actual application of the rule.

It would help. It would help to define what, for example, let's take the one that I was most concerned with, was the ground operations. To be able to define specifically what ground operations are, I think would help to define the rule.

MS. ELGEE: I think I, maybe it was in your comments, I don't remember who, but you are talking about if they are doing an engine run and --

MR. MILLS: As a, as a good example, yes. Or even, or even, and I can't think of a good example.

MR. SIRICO: A helicopter --

MR. MILLS: I am sorry?

MR. SIRICO: A helicopter test run, at the end of a rebuild.

MR. MILLS: Right. And candidly, I am glad you said that, and candidly that is really the point. Quite often the operation, the ground operations are intended to detect problems that may have been, may manifest during the actual repair, itself. And that is the whole purpose. I mean, if you, you would not be doing your due diligence if you did not operate the engine to ensure that you had a, had one that was good

to go.

MR. KING: It is a quality control check.

MR. MILLS: Exactly right. Thank you. That is what I wanted to say.

MR. FIGUEROA: If I may address that. We specifically did address that concern.

MR. MILLS: Okay.

MR. FIGUEROA: In one of the comments. Those things that happen during maintenance testing, and we are aware that they can be introduced because of the maintenance. And we specifically said, if something happens in that stage, we don't want a report. However, if you return it to service after all testing, and then it happens when that aircraft is being operated, we expect it to be reported. But we did address that in our comments.

MR. MILLS: Okay. Let me give you an example of where --

MR. FIGUEROA: It is in the preamble section.

MR. MILLS: Let me give you an example. Let me give you an example of where I am going to get busted by my PMI.

Where I am going to get busted by my PMI is in emergency equipment, and I have got floor lighting, okay, and I disturb the floor panels to do an inspection and I put that system back together. Okay.

The language in the rule says that during training, testing, any of those things. Well, if I turn that system on, to test the system, to ensure that it is working properly after replacing the floor panels and putting all the little connectors together, and it fails, this rule says I have got to report that. The language in the rule says that.

MR. PHANEUF: Okay.

MR. COTTI: Elias Cotti with NBAA. I just want to make a comment that when 14 CFR is published, preambles don't exist in it. I mean, we just basically read the rules. So, all this corporate knowledge of preamble and stuff would be missing from the rule.

MR. PHANEUF: Okay. Somebody else had a comment.

MR. ANDERSON: Please, Jose, don't take this as a personal thing, but you are really touting what the preambles say. Could you explain to me 56193 of the September 15 Federal Register? At the bottom of the center column, talking to 121.704, the FAA says, the very last couple of sentences, the SDR program does not require the reporting of nonroutine work tasks. That sounds great. Then the next sentence says, the program only requires the reporting of defects when found. That is, those two are mutually exclusive

sentences.

MS. ELGEE: Well, that is because you take, you are, in my definition of defects, it is something that shouldn't have been there in the first place.

MR. ANDERSON: We are using a regular New World Dictionary definition of defects, not the Angela Elgee interpretation.

MS. ELGEE: No, no, but if you go to the Webster Dictionary, I mean, I am not lawyers --

MR. MILLS: Here is what the New World Dictionary says.

MS. ELGEE: Okay.

MR. MILLS: If you will bear with me for a moment. It says, "A lack of something," this is defect, "A lack of something necessary for completeness, deficiency, shortcoming; or an imperfection or weakness, fault, flaw or blemish." That pretty much covers the whole.

MR. ANDERSON: That is what --

MR. MILLS: I mean, everything.

MR. ANDERSON: That is what the maintenance program is looking for, every nonroutine we write up generated by a routine scheduled maintenance program, is going to be considered a defect and you say in one sentence you are not looking for the nonroutine work

tasks, but you are looking for all the defects. I am sorry.

MR. SIRICO: Originally, where is the lawyer? What I was going to say before -- This is Joe Sirico, again -- I have got, you know, Jose has been very kind to me and he has made phone calls and given me plenty of time on the phone. So, I do appreciate it. That goes for you, Angela. It is good working with those guys.

MS. ELGEE: Okay.

MR. SIRICO: We have about 23 repair stations, most of which have different PMIs worldwide. And if I take into account the Hamilton Sunstrand -- which of course, you get around 48. If you, I would like food for my kids, my wife, and my Labrador, because of PMIs and the way this really works, is I have got my Jeppesens, he has got his Jeppesens, you slam them down, whoever's Jeppesen is a little more dogged eared, tattered, sort of wins these things, and you go to the regs. I have had to make copies of preambles for PMIs and give them the copies to have the discussions. And the preamble it, well, that is what they were talking about, here is it what says. And you are back, you know, I am not trying to plug Jeppesens, take your website, and go back to the rules. That is all the PMI in the field wants to talk is the rules. When you get

up to region, you might want to start talking preamble. But, tomorrow I am going to spend times with Sarah, because I have -- and I have to go spend more money at the lawyers because what it says is not what we think the preamble says and everything else. We are talking the regs. And that is what counts out there. Anybody here who is operational, that is what we have. And Jeppesens or something, similar with the reg, that is what we carry, you know, that is what we sling, you know, 40 feet down the street from the O.K. Corral, I brought my Jeppesens.

MS. ELGEE: But, before we go on, I wanted a clarification. And then there is a guy over here that is waving his hand.

I didn't quite understand the difference, what the issue was between operational and structural? I mean, what the concern was.

MR. MILLS: Actually, that is the problem. It doesn't differentiate actually in the verbiage of the rule. When you get into the body of it, it doesn't say only those things that are operational or only those things that are structural. The only thing that gives you guidance there is the heading, the individual heading. And then it doesn't define, for example, ground operations.

MS. ELGEE: I see. Okay.

MR. PHANEUF: Someone over here had a comment.

MR. KOHLBRECHER: Jerry Kohlbrecher with TWA.

One thing I think Rick Anderson mentioned was the lag time between when we submit these and when they are available for review. I believe his estimate was something like 3 to 6 weeks. And I think your comment after that said you were hoping to improve on that with this electronic system. But I believe he was referring to the electronic system when he made those comments. In fact, I submit on the electronic through the Web, I have never found one of my submissions through the all search pattern in less than 3 weeks. Normally, more than that. So, I guess
I --

MS. ELGEE: Do you submit it on the Web electronically?

MR. KOHLBRECHER: Yes, I do. All of them.

MS. ELGEE: Do you have the, that, whatever that page is where they --

MR. KOHLBRECHER: That is right. That is correct. But, I have never been able to find them, when I got, of course, when I sign on, I can find them right away, I can pull them back up to make a correction or whatever.

MS. ELGEE: You are saying there is some time

lag between --

MR. KOHLBRECHER: Yes. But, the search mechanism that is offered in the program there, that the normal person would use, I have never found in any less than, in less than 3 weeks. So, I would -- understanding why all these structure reports that are very difficult to comply with an 96-hour time limit, all of a sudden have to be submitted in such a strict timeframe. And of course, somebody had suggested, I think previously, that the structural ones be sent in when the airplane finally finishes its maintenance check and of course that was found not acceptable. The suggestion made that submit a preliminary and -- but that of course greatly increases the workload of the people trying to make two submissions now instead of one.

Another comment I guess I would like to make is to reiterate and confirm what many of these others have said here, concerning the interpretations of the regulations. The FAA people that I work with day in and day out look at the regulation. They read the regulation and that is what we have to live by. Only if there is some ambiguity in the wording will it go to some other document, source documents or that, that Jose keeps referring to. If the wording is clear, and in most cases this wording is, and this proposal here,

this new regulation is very, they are not going to go to any source document. They are going to say, you will report your flight control defect.

And I guess the third comment I would like to give is in Rick's presentation he wondered, I guess, if the word "uncommanded" was intended to be in some of these flight control and auto flight remarks. And you responded to that, but I guess I didn't understand whether you agreed or disagreed with him on that point.

MS. ELGEE: Yeah, I don't know. I know that the NTSB was very adamant that everything be reported. And I don't remember what we finally -- Oh, yeah, it was delivered, but it was taken out. Because everything has been delivered and we have, before you get going here --

MR. FIGUEROA: We had a good discussion on the comment period.

MS. ELGEE: But, anyway, we were going to put in the AC was flight controls and control circuits and structural damage, unusual trim problem, vibration and fluttered, cable failures and etc. I mean, well, I guess the NTSB's point was that there are lots of other flight control problems that you may want to know about

that, that don't always result in an uncommanded flight control.

MR. KOHLBRECHER: But that interpretation narrows it somewhat. But, my PMI is going to point to the regulations and say, everything has to be reported. That is exactly what he is going to tell me. Everything I have got in 22 and 27 he is going to say report it because, with just a few exceptions, that is what the regulation's wording would have to be interpreted as required.

MS. ELGEE: I like, like I said before, you can't put everything into the rule. And we have to do training and good guidance all of those other things so that everybody has the same understanding.

MR. KOHLBRECHER: But, the words that you just mentioned here, that you are going to put in the guidance material, what about putting that in the regulation? Just those same words, sentences.

MS. ELGEE: I -- I don't have the answer.

MR. KOHLBRECHER: And if you have got something --

MS. ELGEE: Because I don't know all the legal, you know, I have only been in this job for one year. So, you know, just give me a little bit of slack. I don't know all the answers.

MR. PHANEUF: I got your -- Yes?

MR. MILLS: Yeah, I don't want to sound patronizing, so I won't. I think, I think that, I think the gentleman from United offered an excellent suggestion. And Angela, in the, in the very best way possible, I want you to know that I adamantly disagree with you when you say that I don't think you can satisfy the vast majority of people. I think you can. And I think the gentleman from United probably offered the best way to do that and that is to some way, some way, and I know if we are creative enough we can do this, is get you the information, you know, illustrate the individual problems we have with the rule that we have with the rule that we know are going to cause us a problem in the field with the PMIs. And then address those in, if you will, a rewrite of the rule.

MR. PHANEUF: Excuse me, does everyone understand what that suggestion was? Because I think you were talking about something other than revising the rule, weren't you?

MR. EDWARDS: Actually, it would, this is Tom Edwards from United again. It would amount to a redoing of the rule. And all I was suggesting is that we go through and put the specifics as we can agree on them, or an advisory circular, build the advisory

circular and then go through and take the generalized sections of the advisory circular, and make a generalization of each one of those line entries. So that if we say specifically what we have in mind reporting in the structural defect category or composite structure, then we go back and make a generalization of that, that says report the appropriate findings and deteriorations in composite structure to your Oklahoma City user base.

MS. ELGEE: Okay. So, you are suggesting, start with an advisory material first and then go back to the rule.

MR. MILLS: And that is what I meant by creative. Using it as a tool to develop the language that everybody understands.

MR. HILL: It would appear there are two alternatives. One, either change the language of the rule to reflect the actual intent and then put the words in the rule that reflect what we are really trying to accomplish. Or put that intent in the advisory material and then go back to the rule and make the rule more general, so that you have to go into the advisory material in order to enforce the rule.

MR. PHANEUF: Yes, sir?

MR. LOTTERER: Well, I would think that there would be several ways to approach this. Angela, you

mentioned in terms of increasing the scope or the data that you wish to have, that you mentioned about the issue of in flight versus, say a ground fire. I don't think there is many in this room that really have a real heartburn that if the words "in flight" were dropped, that the fact that you have fire on the ground as well, you report that. So, everyone understood the old rule. If the increase in data is merely that, I am sure you could get a consensus within this group, if you are willing to, in fact, change the rule. I think, though, that we, as industry, would have to kind of get back and kind of work up a proposal. And I am sure we are quite willing to do that, if you show a willingness to in fact change some of the language in this rule, that we can get back with you. What is your feel on that?

MS. ELGEE: I am not going to make a commitment on that today. I wanted to very much hear input.

MR. LOTTERER: Yes.

MS. ELGEE: And I am not saying, no, but I need to think about it and I need to go back and look, you know.

MR. PHANEUF: Take it under advisement.

MR. LOTTERER: But, do you really --

MS. ELGEE: Yes.

MR. LOTTERER: You see, though, the efficiency that we have been --

MS. ELGEE: No, believe me I understand all the --

MR. LOTTERER: The efficiency really is just using electronic data. That is where you get the efficiency or the benefit of a rule. And what has happened is, that you have in effect mucked it up.

MS. ELGEE: Oh, you went back --

MR. LOTTERER: By changing the language of the data that has to be submitted. That is what is everyone is harping at at this meeting here. It is the actual changes that you made in the rule of the data that you submit.

MS. ELGEE: Yes, I --

MR. LOTTERER: Not in the method that you submit the data.

MS. ELGEE: Yes. I understand that.

MR. PHANEUF: Okay. Yes, sir?

MR. ROBESON: Bob Robeson from Aerospace Industries Association.

Angela, the thing that kind of bothers me about the discussion of the AC versus the rule and trying to fix the defects through the AC, is that we had a similar issue in part 25 and when we tried to fix

it through the AC we got a memorandum from Doug Anderson in the Northwest Mountain AGC, saying you can't make the rule through the AC. You have got to make it in the rule itself. And so, my problem is that the language in the rule as it is now written, if it ever comes to a contest between what is in the AC and what is the rule, the rule will control. So, I think at some point, sooner than later we need to come back and revisit, you know, fixing the defects in the rule, itself.

MR. PHANEUF: Yes, sir?

MR. TURCO: Scott Turco, Delta, again.

All day long we have been talking about the disconnect between the rule language and what will be the advisory material and everybody's understanding. And you can even see coming in here today, we all had multiple different understandings of what would be required to report it.

Angela, I know you said you were willing to consider extending the rule while you finished developing the advisory material. And that certainly would be a benefit to us.

One thing I would offer is that we won't really understand the impact of this rule and what it is really going to mean to everybody until we put it in

place. So, I would offer that we need to, whenever we do a program of this magnitude at Delta, we prototype it, beta test it, see if it is going to work. See if it gets us the results that we originally hoped for. And I don't see that has happened here because I really don't think you are going to meet your original intent of improved safety data with all these multiple understandings.

So, I would offer that we need to prototype this in some way and all different facets of the industry that are affected and working with the PMIs that are going to be holding us accountable to the rule and your office is writing the rule. Without that I don't see how we are ever going to come up with a consistent interpretation that (1) we can all operate on the same level playing field. And (2) that you get consistent data.

(Pause.)

MR. PHANEUF: Yes?

MR. BURTON: I am Dave Burton, AC Jet.

My thoughts are here, even given all the discussions about the rules, if the rule were perfect today, and you don't have the advisory guidance out for the industry to use, and you don't have the advisory guidance out for the principal inspectors to use, you

can't use this program. It takes my certification management office 6 months to approve a revision to our manual system of a program such as this. If they don't have that data there, available, they have nothing to review it to, nothing to approve it to, nothing to move forward on. I don't know how I am suppose to have a system in place operational, that is acceptable to our certificate management office at the end of January. They need the tools to do it. I need the tools to do it. We all need the tools to put this program in place. I just don't see how it can be done.

MR. PHANEUF: Okay. Now, just so it is clear. You are not just commenting on what is wrong with the rule, but the time required to input whatever rule.

MR. BURTON: Certainly. I think we have had plenty of comment on what we all as the industry feel the problems are with the rule and that they do need some addressing. And what vehicle used to address them, I will leave that to you, that is your part of the pie. But, as far as the operator, we have to have that information available to us. We have to know how we are going to operate that. Without this advisory data, I have nowhere to go. I have got a rule.

MR. PHANEUF: Okay.

MR. BURTON: My PMI doesn't know what a

preamble is. I am sorry. When it comes to day-in and day-out operations, I am going to have to submit a manual revision to them, instituting a program, that complies with the word-for-word of what is in this regulation.

MS. ELGEE: Before you -- I don't think that the rule is mandating that you have a program in place. There is nothing to approve. And second of all, I certainly, absolutely would not expect a PMI to enforce a rule without inspector guidance. They won't know what to do with it. So, I agree with you on that. And I would not expect enforcement of the rule without the advisory material either. The intention is to all of it be effective at the same time.

MR. WHITE: I beg to differ with you. This is Peter White from Federal Express. It will require a program change. That is part of GMM approved by the FAA. Our SDR reporting is part of the reliability program for our operator 121 operations. So, it does require a program. It will require training. The local FSDO will want to know that all our vendor locations, all our mechanics, pilots and everybody on down that will have to be involved in the reporting process, is trained, understands the intent whether it is in the preamble or the AC or whatever, understands

the intent of the rule, and I can go to the local FSDO office and say, okay, here is the rule, I am going to change our GMM to implement the new rule. And I am going to have to show him that we have done everything in preparation to meet the intent of that rule. If I don't, I am negligent. And then he can, opens the door for to come in and file official complaints or whatever on improper reporting.

But I have got maintenance stations worldwide. I have got a thousand different repair vendors or components. And all that has to be communicated. And then I have to set up my internal system to physically report the data as well. So, I am sorry, it is a program. It is a full program. And will be treated as a project program within our airline operation.

MR. BURTON: Excuse me. One more point I would like to add. I would like to revise one of your words, sir. You are not negligent, you are noncompliant. And that is how the principal inspector will take us. If we don't have a program that complies with this rule in our general maintenance manual, we will be in noncompliance.

MS. ELGEE: I fully agree on that. And when it is in your GMM and you have an SDR program already,

I agree that you will have to modify it. And then your change is accepted by the PMI. Okay.

MR. WHITE: I want to understand that we prepared for that change.

MS. ELGEE: Right.

MR. WHITE: I mean, I can change words all day long, and I can put all the paragraph of substantiation in my program requests, but he wants to know more.

MS. ELGEE: I got it.

MR. BURTON: I am sorry, a follow-up to that one.

The guidance given to the principal inspectors, having information the preamble is acceptable, as long as the guidance to the FAA inspectors, who is going to be dealing on my certificate, understands that when I come to him with the program, it is going to contain elements of that preamble. And it is going to be driven off of that. As long as he is aware of that, as long as he has been trained to that, I can deal with the preamble. I would much rather, you know, prefer to see it within the body of the rule. Because I don't know what is going to happen 2 years down the road. I don't know if I am going to get a new principal. I don't know if I am going to get a new inspector on my certificate that is

just fresh out of Oklahoma City, who has never dealt with a certificate before and all of sudden he starts to champion this program as a noncompliance with the rule. And all he has is the rule in his hand. That is why I would prefer to see it in the rule. But, as long as they have their guidance, there, that very specifically says, the preamble applies to this, the preamble is the tool that is used to interpret the words that is in this rule, I would find that acceptable. But I would sure like to have a copy of it myself, too.

MR. PHANEUF: Yes, sir?

MR. CARROLL: The sad reality about all of this is that we are literally guilty until proven innocent. And the problem is you never regain your innocence even if you, in the eyes of the newspaper that has put you in front of the public, you never get that back because they bury it on page, what was it you said?

MR. MILLS: I think it was 10.

MR. CARROLL: Ten. You never get that back, even if you are found.

One other point I would like to make is I truly and I may be going out on a limb here, but I truly don't think that based on a discussion with a gentleman that was out here from Oklahoma City last

time I was here, I don't think your folks in Oklahoma City are even remotely prepared to accept or receive what is coming out. I would love to hear someone address that.

MS. ELGEE: We don't have anybody from Okla City, but, again, I mean, you are assuming that we want this much and we are assuming we want that much, so, you know.

MR. BURTON: Get us there. Get us there.

MR. KLINE: I would like to make a comment on that. I think, this is Dave Kline of American Trans Air. And I think there has been something that has gone from everybody's comments and it has to do with terms and definitions. And I haven't heard anybody speak about us being maintainers, operators, and the rules are very specific. We maintain and it is a maintenance action. There is nothing in there that says defects. We maintain, we inspect, we repair, we alter. Those are the words that we use. We can't even agree on what a defect is. We read the rule, you read it one way, in the preamble, and you are saying it says this. But, us, as the maintainers, our maintenance programs and inspections drive us to inspect. When we inspect, we uncover defects. Those defects are what the crux of the problems are. That is everything. And

if there is nothing defined or definitive in part 1, we are stuck with maintenance, inspection, repair, alter. So, that is what we have to get back to, to resolve some of these issues in my viewpoint.

MR. PHANEUF: We have about 20 more minutes. I want to make sure that there is no other issues or there is no other speakers that haven't had a chance to say anything.

MR. WHITE: I have a new issue.

MR. PHANEUF: Okay. You do have a new issue. All right.

Has everyone had a chance that wants to say any general comments about this? Have we covered everybody? Okay.

MR. WHITE: In the opening remarks, you briefly discuss kind of a thumbnail sketch of the process of how the data is going to flow and who it is going to go to. Are the airlines going to get any notification of whatever the analysis shows up? Or is it strictly going to go to the FSDO and to the fleet people and the ACOs?

MS. ELGEE: You know, there was no intention to report back to the operators. But the data base is always, of course, available to you.

MR. WHITE: Okay. The other issue kind of

touches on what we have talked about with the JASC Code, but from an analysis point of view, let's say you turn on reporting in January 16, 2001, okay, if you ***t go back and code, recode all your old data you are going to have to wait so long to get enough data sets or samples to make a reasonable trend. Okay. Let's say you identify a trend, you go to the manufacturer, he doesn't use JASC Code, just like FedEx will not change our internal coding, we will stick with the ATA for all our computers and training and all the other things that would have to be changed. So, when you go to the manufacturer and ask for substantiation of what the operators have reported to them, or the FSDO comes to me and says, I have got this report from the SDR data base says there is a trend here, and I give him a bunch of data from our system, it is not going to match up. So, we are going to have to sit down and define in words specifically what he is looking at because the coding won't match up at all. So, it is going to create a little bit of differences there in how we supply information back to the, our local FSDO in response to JASC coded items.

MS. ELGEE: Well, what we have been doing in the past is looking at those codes and changing them by hand, either by the PMI or 600. So, I don't think it

is going to be that far off. And also there has been, like I mentioned, we have the safety performance analysis system, and we have built some translation tables to try to get all the different uses of the codes into a single code.

MR. WHITE: Would that software be available for us?

MS. ELGEE: I don't, I don't think so, but there is no reason why you couldn't build your own translation table. I mean, it is not, I don't think it is that big of a deal. I mean, we didn't do it for absolutely every carrier, but, where we knew there were big chunks that were different, we have.

MR. PHANEUF: Okay. You had a comment.

MR. TORO: Yeah, Chris Toro with UPS.

It seems obvious to us that the intent is really proper by all of us. I think we all agree on the intent. It certainly seems that way right now, just listening to everybody. But the execution of it is where we completely have a disagreement from our standpoint.

It is our view that when we looked at the JASC Codes versus the ATA Codes we had reentered 320 of the 436 codes that just differ when you get down to the fourth digit or sixth digit. That is not a slight

modification to an existing code. That is a new code. And to us it is a significant change.

We just want to make sure, TSO data is another particular problem. We have a little over 269 vendors that we will have to get data from. We already get that data, but we have to go back and research manually this data to get that data back to you EFA in the new system with the way we read the rule right now. These are not small items. These are significant additions to the way we will have to do business.

We have already received our letter from our PMI asking us for the program that we will institute so that starting January 16th we can start with this. This isn't something that we are making up. I mean, this is happening to us. We just want to make sure that if there is anything that can be done, we have heard what we feel are good ideas about approaching this for the future. We think that we need to move forward. I would certainly contend that we have probably have had enough discussion about all these differences of opinion and we need to move forward to find out if January 16th is, in fact, the date we need to start preparing for, not start but continue to prepare for, or if there is going to be a later date that we can implement on. And/or if we are going to have the ability to work with the FAA on how we would

go about resolving the intent versus the way we are actually going through with this, with the rule.

MR. PHANEUF: Yes, sir.

MR. COLLIER: I would like to ask a question. I am Don Collier with ATA. Following on a point that was raised over here. And if I understood correctly, you say there is no plan to get back to the operator with any, any trend or anything that comes out of the data base.

MS. ELGEE: No, not saying that the PMI can't share with the operator. But it is in our SPAS system and the reason why we can't do that is because we, we wouldn't be able to protect it under FIOA if we gave you that data.

See, right now it is considered an opinion of the FAA and as long as we don't publicly share it, then we can protect that data under FIOA. But, if we started sharing it --

MR. COLLIER: I thought the entire data base was open to the public?

MS. ELGEE: No, I know that. But that is what I am saying, in fact, sharing the entire data base would not be a problem. That is what I said. You can go into the website and you can do whatever ad hoc reporting and mish-mashing around to the data that you

want to do. Once you make an analysis on it, you do your own trend analysis on it and that is what SPAS does. Then if we shared that with the public, it would then become FIOAable. Now, that is not to say your PMI can't sit down and say, "Hey, I was looking in the SPAS and it looks like there is a spike in the ATA code 21, you know, on your 737s." But, but, to share the products that come out of SPAS, and believe we have been around and around on this, is that you don't want it to show up in the front page of a newspaper.

MR. COLLIER: No, you don't, but the other side of that coin is that, you know, if the FAA observes some trends or thinks they have a trend, it would seem to me that you would want to get back to the operator as soon as possible, unless you make it mandatory on the inspector, you go sit down with the operator, you are subjecting the airline and the system to undue risks, if you just have that information inside and don't share it.

MS. ELGEE: Well, like somebody said, you know, that should be a part of each one of their reliability programs already.

MR. COLLIER: To require FAA to share their trends?

MS. ELGEE: No, no, to take the SDR data that

they have --

MR. COLLIER: Well, why do you want everybody in the world to do that? If FAA is trending it, why should every operator, every repair station do the same thing?

MS. ELGEE: No, I am saying that most carriers probably already have it in their reliability programs. They probably already use it.

MR. COLLIER: Do you know that to be true?

MS. ELGEE: Well, right before you stepped in, one guy, I think the guy from FedEx said that, right?

MR. WHITE: I am sorry?

MS. ELGEE: That is part of your reliability program?

MR. WHITE: We do not use SDRs as part of our analysis. We would prefer to use the manufacturer's data as far as a fleet overview or trend issue. Because it closely matches coding wide, it focuses rather quickly in what our issues are with more detail, plus we can either go reference any previous manufacturer's bulletins or service letters or other detailed information. Where it may not be to a sufficient detail in the SDR for us to do that from other operators. So, we would prefer it filter through the manufacturer to assist in our analysis and trend.

MR. PHANEUF: Okay. Let me, this gentleman.

MR. SHARBAUGH: This is Mike Sharbaugh at the Airborne Express. That was one of the comments that we had that it seemed like the way that the language of the rule was, we were going to be reporting things that are reliability-driven as opposed to or safety-focused, and that our internal reliability program monitors and alerts and calls our attention to that and so why should we in addition to that have to report that as part of the rule? It sounds like the FAA is saying, well, that was not the intent and we are not going to have as many reports as everyone believes from the language of the rule. Because that did come from us.

MR. PHANEUF: Yeah. Don and then, go ahead.

MR. COLLIER: Did I understand you correctly in saying that any reports that an air carrier submits to you under 121.703, .704, .705 is not FIOAable?

MS. ELGEE: No, I didn't say that.

MR. COLLIER: Okay. I didn't think so.

MS. ELGEE: When we do analysis on that data, it is now our opinion and that is protected under FIOA.

MR. PHANEUF: Yes, sir.

MR. EDWARDS: One of the implementations here is, you know, you wouldn't use, Tom Edwards from United again. The implication is that, you know, we may or

may not be using the SDR data as part of the data base that we use in-house to operate. At United we do use the SDR data base. But, I think the important point here we need to address on the trending is the power comes from multiple carrier input.

MS. ELGEE: Right, right.

MR. EDWARDS: Delta might have one, we might have one and American might have one. And neither of us, neither is the wrong word, but none of the three of us recognize that as a trend. But, if somebody on the top looks and sees the three carriers, individually, all have this problem, then it becomes an industry trend. That is something we would be very interested in. Now, quite frankly, we haven't become accustomed to relying on the FAA because there has never seemed to be much analysis associated with the SDR data base. Instead, we relied on the original equipment manufacturers to extract that material, put it together and gain some kind of trend information for their internal purposes. So, even though the point was it is not meant to guide service bulletins or alert bulletins, that kind of material, it, in fact, has. All right. Normally, though, I think the individual reports from American and Delta, US Air, United and whoever, that would form a trend indicator, go right to the manufacturers and so it even shortcuts that

circumstance. So, we are covered in the very serious cases by the, I guess you would call it an informal data system. We view it as quite formal because it happens and is documented in the internal program published in our AOPs and maintenance manuals within United structure. Thank you again.

MR. PHANEUF: Okay. Before we go to any other questions, does anyone have kind of a summary comment that they would like to make and we need to allocate some time for, other than just repeating? Anything from you, John?

MR. KING: It is important that if anybody has any further comments, to make them in writing to the docket. The docket number is the same number that is on the rule. We want to get all your comments into the docket.

MR. ANDERSON: Along those lines, I think which docket number are they using, the FAA 2000 number or the old number?

MR. KING: In the last couple of years we have gone to an automated docket system. And the number that starts off, I think it is 2000-7952. It is not the five-digit number. It is ✖- the one that starts off FAA-2000-7952.

MR. ANDERSON: And that is not the number that is on the docket --

MR. BURTON: What is the docket number now?

MR. ANDERSON: FAA-2000-7952.

MR. PHANEUF: Okay. Yeah, I just want to be sure, do you want to make some summary comments? Any other issues or questions or comments? Okay. Do you have one? Please.

MR. YORMAN: This is Rick Yorman from American Airlines.

We have heard a lot of compelling information that makes me nervous and I want you to know that I came to this meeting for the sense of urgency because we are postponing and holding implementation that is for the new rule, that becomes effective January 16th. And as we have heard today, without that good feeling that the right thing will be done, we will still be holding and waiting. So, there is that sense of urgency that something does need to be done. I have heard a lot of compelling testimony, so I hope you take that and give us the relief that we need and that the, to take the time and give us the proper guidance. And a lot of people have to implement those and that does take time for implementation. So, please consider that sense of urgency.

MR. PHANEUF: Angela will probably have a few comments at the end here. Just a second when she figures out --

MR. MILLS: Richard Mills, again. I am not known for brevity, but I will be this time. The short version, Angela and Jose, thank you very much. Again, from our perspective you have been very helpful letting us have this meeting in the first place. Specifically, we appreciate your help with the audiovisual equipment. And from what I have heard, from what I have heard here I am encouraged because I think there is an awful lot of good information passed along. And I hope it can help you implement.

MR. PHANEUF: Okay.

MR. ROBESON: Bob Robeson. I have two logistic questions.

The first is when we might expect to get an official notification of the extension of the effective date? And then the second would be when a transcript of this proceeding will be available?

MR. PHANEUF: Okay. I think I can address the latter one, at least in general. It typically takes 10 days for the recording company to produce that. The FAA will want to look at it just to make sure that there is no, you know, logical mistakes, like dates and things. And then it would be available after that. We would encourage you to contact the recording company directly, though, so that would be much quicker for you. I would say 10 to 15 days would be good to

contact them.

Does everybody know how to do that?

PARTICIPANT: No.

MR. PHANEUF: Does anybody know how to do that? Maybe you can provide us some information? All right, let me, oh, we have got some, okay.

(Pause.)

MR. PHANEUF: It is the Executive Court Reporters, Incorporated. They are located in Silver Spring, Maryland and if you want to write to them, their address would be 1320 Fenwick Lane, F-E-N-W-I-C-K, Lane, Suite 702, Silver Spring 20910. Phone number (301) 565-0064.

All set? I have got one extra copy I don't need. Okay.

Well, thank you all for not throwing things at me or Angela or anyone else.

Angela would like just to summarize a couple of things for you and then we will be out of time.

MS. ELGEE: I do want to thank everybody for coming. I think this has been helpful. And since, I mean, I do want to be a good regulatory person in that we want, I think we do all want the same thing, is that we want the right data being reported. I think we all agree on that. I am very much committed to making sure that that happens and so, as I said, I am working to

extend the rule.

And I am working very hard on the advisory materials, including the AC and the inspector guidance. I will make absolutely sure that the advisory circular and the handbook guidance is published as a draft, so that you can all comment on it before it is published. And it doesn't make any sense to have the rule without the advisory material. And I agree with that.

And I will take back into consideration whether further rulemaking is warranted or not. I haven't been totally oblivious to what you have been saying.

And let's see, what was the other thing I had?

(Pause.)

MS. ELGEE: It will be in the Federal Register. Yeah, and that is kind of a corporate thing that needs to happen in the Federal Register. I have totally lost it.

MR. EDWARDS: The detail was that what was going to be in the Federal Register? Is that --

MS. ELGEE: Whether there will be an extension or not. If there is an extension of the rule, of the effective date of the rule, it will be in the Federal Register.

MR. TORO: Angela, could you clarify for me what you said, you said extend the rule effective date, potentially, maybe, or you are pretty sure that is the way it is going, in order to get the guidance material out first --

MS. ELGEE: I have to look at the attorneys.

PARTICIPANT: Well, there is an proposal to extend it, sitting on my desk, pending the result of this meeting. And if everybody agrees with it, it will be done. If somebody doesn't agree with it, then it will be changed.

MR. WHITE: We agree with it.

MR. ANDERSON: Angela, are you talking about an extensive rewrite now of your advisory material?

MS. ELGEE: No, no, actually not.

MR. ANDERSON: Back in October you were saying we would see it by the end of the month, well, October came and November came and the end of, a couple of ends of the months went by.

MS. ELGEE: That is because the first draft, the first draft was so bad, I mean, it was, as far as filling out the form part, was very good. But, the part about, you know, when to report and how to report and what instances you report, there was nothing there. So, I couldn't give you a draft because there was nothing for you to review. I think this, the one that

Jose has given me, the last one here, that he just gave me last week, I think is much better and much better direction. And based on all the comments here, I mean, that, you know, that we have more stuff that we can put in there and make sure that it is --

MR. ANDERSON: And you are going to publish it on opsspecs.com?

MS. ELGEE: Either that or the Federal Register.

MR. ANDERSON: Okay.

MS. ELGEE: You know, one or the other.

MR. ANDERSON: Just keep checking every day.

MS. ELGEE: You know you will know. Okay. I can't think of anything else to, I don't know if I covered it all. But I do appreciate your input.

MR. LOTTERER: The date that you want comments back, additional comments back. What would that be?

MR. FIGUEROA: I would say get them to us as soon as possible because we will start reviewing the ones that came in for the form fill-in, and as long as we are reviewing, we will receive the ones you have. So, don't sit on them. As long as we are in the review process we will take them in and --

MR. PHANEUF: All votes will be counted.

MS. ELGEE: Yes. Well, I guess we have to

give up this room here at noon. So, I guess we are out in time.

(Whereupon, at 12:00 p.m., the meeting was concluded.)